THE ANGLO-AMERICAN OCCUPATION OF THE EL PASO DISTRICT

THESIS

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By

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Preface

When I first knew El Paso it was the only town of any size between San Antonio and Los Angeles, Denver and Chihuahua. Despite twenty years of rapid growth, El Paso and, to a much greater extent, the small towns of the Rio Grande valley retained many evidences of their earlier frontier character. These characteristics have since disappeared, but their memory remains and has awakened an interest in the past of a rapidly changing community. This thesis is the offshoot of that interest.

In making this study I have received help from more people than can be named here. My grateful acknowledgements are especially due to several without whose assistance this paper would not have been written. The staff of the El Paso Public Library aided me to make use of its unusually good collection of material on Southwestern history. Major Richard Burgess, of El Paso, generously gave the use of his newspaper files and rare books. Miss Winnie Allen, of the University of Texas Library, found in the archives much valuable and

otherwise inaccessible information.

My debt to Professor Walter Prescott Webb, of the University of Texas, is very large. His course on the history of the Great Plains gave me the key to an understanding of the forces which have determined the history of the El Paso district. His kindly criticism and generous encouragement are responsible for whatever merit this paper has.

Grace Long

University of Texas
August 13, 1931.


SIERRA DE LOS CABALLOS
San Diego Crossing
Rincon
JORNADA DEL MUERTO
WHITE SANDS
CERRO MAGDALENA
Fort Selden
DONA ANA HILLS
Cooks Spring
COOKS RANGE
MASSACRE MTS
NEW MEXICO
ROBLEDO MT
ROUGH AND READY
EL PICACHO
Dona Ana
Las Cruces
San Augustine Pass & Spring
ORGAN MTS.
JARILLA MTS.
TULAROSA BASIN
SACRAMENTO MTS
Deming
LA MESA
Mesilla
Ft. Fillmore
FLORIDA MTS.
Aden
La Mesa
RIO GRANDE
FRANKLIN MTS.
Canutillo
CORNUDAS MTS
x Alamo Springs
Salt Lakes
HUECO TANKS
Sierra Alta
HUECO MTS
SIERRA TINAJA PINTA
STATE OF CHIHUAHUA
El Paso
(Juarez)
Paso del Norte
HUECO BOLSON
DIABLO PLATEAU
Ysleta
Socorro
San Elizario
TEXAS
JUAREZ MTS.
RIO GRANDE
EL PASO BASIN
FINLAY MTS.
Guadalupe
MEXICO
Old Ft. Quitman
QUITMAN MTS.
N
SCALE:
5 0 5 10 20 40 MILES
MAP OF
EL PASO DISTRICT

THE ANGLO-AMERICAN OCCUPATION

OF THE EL PASO DISTRICT

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THE ANGLO-AMERICAN OCCUPATION OF THE EL PASO DISTRICT

CHAPTER I

THE PHYSICAL BACKGROUND

The principle that geographic conditions determine man's physical activities and, to a large extent, his social and political life is widely accepted. It is exemplified in the history of the El Paso district. It seems probable that the early Spanish inhabitants came to the region because it was on the road between the existing settlements in old and New Mexico; that they stayed because of the agricultural advantages they found. Certainly the principle holds true with regard to the Anglo-American occupants. Those who came earliest were following the ancient highway from Santa Fé to Chihuahua. Somewhat later came the emigrants to California, on a trail that intersected the old Spanish road at the Pass of the North. Trade was the first stimulus to settlement and has remained an important-- perhaps the most important-- factor in the growth of population; though fertility of soil, a healthful climate, and nearby facilities for mining and grazing have played their part.

To realize the advantages and disadvantages of the El Paso district, one must describe it in connection with the geographical section of which it is a part. The Mexican Highland is a vast region embracing the Big Bend Country and the western half of Trans-Pecos Texas north of the thirty-first parallel; central and southwestern New Mexico; the southeastern part of Arizona and a belt stretching northwest to include the southern tip of Nevada. It extends far south into Mexico. Its northern boundary separates the Mexican Highland from the Colorado Plateau and the Southern Rocky Mountains; its western boundary is formed by the highlands north and east of a line drawn from the mouth of the Williams River southeast to the parallel of thirty-three degrees north latitude, thence almost due south to the Mexican border, which is crossed a short distance east of Nogales. The eastern boundary follows the line of the Jicarilla Hills, the Sierra Blanca, and the Sacramento Mountains of New Mexico; in Texas it follows the Hueco and Finlay Mountains, the southern escarpment of the Diablo Plateau and a line east to the Toyah Basin and Stockton Plateau.[1]

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[1] N. M. Fenneman, Physiography of Western United States, pp. 379-80, and maps on p. 10 and in pocket.

The Mexican Highland is an arid region of mountain and plain. Its characteristic features are isolated, roughly parallel mountain ranges, separated by desert basins, whose

floors are usually almost level; a climate with so little rainfall that run-off is absent or inadequate to reach the sea or to carry its load of detritus any great distance; and a covering of waste on the inter-montane plains. The plains are frequently without drainage and of the sort known as bolsons.[2] The climate

[2] Bolsons are aggradation plains, usually built up in structural basins of the waste from the surrounding highlands. In the center the surface is almost level, the margins slope to the highlands. Some have no drainage outlets; those which have outlets are practically free from surface drainage unless they happen to be crossed by perennial streams. Bolsons are formed only in arid climates, where débris cannot be carried away by drainage water.

is dry. The rainfall is of the sub-tropical type, with the maximum precipitation in the summer months, with great departures from the annual average, local and "spotty" in small areas, with a tendency toward short, heavy showers or cloudbursts. There is little humidity and the rate of evaporation is high.[3]

[3] Fenneman, Physiography of Western United States, pp. 326-329.

Some of the mountains are believed to be block mountains, created by fresh faulting, in their first cycle of erosion; others are held to be older, more complexly faulted and folded, and now undergoing a second or even later period of erosion by wind and water. The mountains rise sharply to heights ranging from a few hundred feet to more than five thousand feet. The ranges may be as long as fifty or seventy-five miles,

although the majority are shorter. They are characterized by many more or less parallel ridges; evenness in breadth, bulk, and height; and a generalized slope, whose effect of steepness is largely due to the straightness of the line from base to crest. From a distance the effect of such a range is that of a high, straight wall, hemming the level desert plain. A nearer view reveals the jagged crests and water-carved ravines which deeply indent the slopes.[4]

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[4] Fenneman, Physiography of Western United States, pp. 326-340.

The mountains occupy less than half of the Mexican Highland. Between and around the ranges are the plains, generally appearing level to the naked eye, in reality sloping at a constantly increasing angle to the bases of the mountains. Usually the steeper slopes at the foot of the mountains are alluvial débris aprons. In some basins there are "salt lakes" or marshes, formed by the evaporation of water heavily charged with minerals. In places there are dunes of drifting sand. Sometimes the wind blows the dust and sand from the surface of the plain, leaving a bare floor of rocks and pebbles. With these exceptions the inter-montane plains are usually covered to very great depths, with loose, unconsolidated materials from the surrounding heights. The bolson plains are structural troughs filled with waste, formed by the same folding which

created the mountains; or, perhaps, depressions made by erosion. Plateau plains, bordering the mountain ranges or rising above the level of the bolsons are also found, particularly in the region between the Pecos River and the Rio Grande. Occasional lava plains occur.[5]

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[5] Fenneman, Physiography of Western United States, pp. 340-348.
R. T. Hall, Physical Geography of the Texas Region, U. S. Geological Survey, Folio 3, p. 8.

That part of the Mexican Highland which lies in Arizona and western New Mexico drains into or slopes toward the Williams and Gila Rivers. In central New Mexico and Texas such drainage as there is is into the Rio Grande. This river has its source on the interior or eastern side of the Rocky Mountains in southern Colorado; it flows in a general southwesterly direction to about the latitude of thirty-two degrees, thirty minutes, then southeast to the apex of the Big Bend on the parallel of twenty-nine degrees, thence northeast and southeast in a compensating curve ot the Gulf of Mexico, which it enters about twenty-six degrees north latitude. Through New Mexico and along the Mexican border of Texas to the Quitman Mountains, the course of the Rio Grande is through a series of desert bolsons and narrow canyons. Across the plains, the river has cut narrow fertile valleys several hundred feet below the general level. The water of the Rio Grande comes from the snows of Colo-

rado and northern New Mexico, augmented by the run-off from the heavy summer rains of the region through which it passes and by ground water supplied by springs. Its flow has always been continuous as far south as the neighborhood of Albuquerque; from there to Presidio it was intermittent until the dam at Elephant Butte was built; since then the flow has been continuous at least as far as the El Paso Valley. During seasons of heavy rains, it frequently overflows, and has changed its course in numerous places.[6]

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[6] Hill, Physical Geography, pp. 9-10
G. B. Richardson, Geologic Atlas of the United States, El Paso Folio, pp. 2-3.

The El Paso district occupies the east central portion of the Mexican Highlands. For the purpose of this study the district has been arbitrarily defined as the United States portion of a roughly circular area with a radius of approximately one hundred miles, whose center is the point where the Rio Grande crosses the boundary between New Mexico and Mexico. This definition includes more of Texas than the present county of El Paso and less than the first county created in the Trans-Pecos region. It also includes a section of southern New Mexico, which has never been a part of Texas. The region thus defined lies between the meridian of one hundred and five degrees, thirty minutes, and one hundred and seven degrees, thirty minutes, west longitude and the parallels of thirty-one degrees and

and thirty-two degrees, thirty minutes, north latitude. The district has no natural boundaries, but within it lie those paths by which the first English-speaking settlers came to form the nucleus of the present county and city of El Paso. Such a region constitutes the arena and locale of their early activities.

Of the topographical features of the El Paso district, the two most prominent are the trend of the Organ and Franklin Mountains and the valley of the Rio Grande. The Rio Grande enters the district near the southern extremity of the Caballo Mountains and flows southeast to the international boundary, where it turns more sharply toward the east to cut a narrow gorge through the mountains. On the eastern outskirts of El Paso it returns to its former direction, and leaves the district near the western end of the Quitman Mountains. Except for the flood-plain of the river, the topography is of the mountains and plains characteristic of the Mexican Highland.

The Organ and Franklin Mountains are part of the Oscura trend, which stretches from about thirty-four degrees north latitude south to the Mexican border, beyond which it is extended in the mountains known locally as the "Mexico" or "Juarez" Mountains. The southern three-quarters of the Organ Mountains are in the El Paso district. Some distance north of the Texas-New Mexico boundary a low wash-filled gap separates the Organ Mountains from the northern foothills of the Franklin Mountains. These foot hills extend

extend about eight miles into New Mexico, the main range of the Franklin Mountains is in Texas. The trend of both ranges is almost due north and south. Both chains are long and narrow. The mountains rise abruptly from the surrounding plains three thousand feet or more. The Organ Mountains reach a height of eight thousand feet. The highest point of the Franklin Mountains rises 7152 feet above sea level. In the main the western slopes constitute a dip slope and are little eroded. The eastern faces are more deeply weathered; cross sections of the rocks are exposed, and there are deep valleys which extend back almost to the rim and separate transverse ridges. The crest of the Franklin Mountains is capped with very hard strata for almost its entire length and presents a rugged scarp to the east. The sharply pinnacled summits and sides of the Organ Mountains, which resemble the pipes of an organ, particularly when viewed from the west, give the range its name.[7] In the

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[7] J. R. Bartlett, Personal Narrative of Explorations and Incidents in Texas, New Mexico, California, Sonora, and Chihuahua, II, 393-394.

Franklin Mountains the lower slopes and transverse ridges show rough surfaces because of the varying degrees of hardness of the component parts. At El Paso the rise from the river bottom to the foot of the mountains is made in a series of benches, called "mesas" by the inhabitants.[8]

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[8] Hill, Physical Geography, p. 4.

Richardson, El Paso Folio, pp. 2-3.
G. B. Richardson, Geologic Atlas of the United States, Van Horn Folio, p. 1.

East of the Organ and Franklin Mountains is the Hueco Bolson, the largest and most characteristic plain of its type in Trans-Pecos Texas. It extends from about latitude thirty four degrees south to and across the Rio Grande far into Mexico. Its average width is twenty-five miles. Its eastern boundary is the line of the Sierra Blanca, Sacramento, Finlay, and Quitman Mountains. A few miles north of the Texas-New Mexico boundary, it is divided by a low transverse ridge covered with débris. The northern part, known as the Tularosa Basin, has no drainage outlet. Near its southern end a small group of low hills rises abruptly from the desert floor; these are the Jarilla Mountains. Farther north and almost wholly outside the El Paso district, are the "White Sands", an area of some three hundred square miles covered with dunes of fine gypsum sand. These dunes rise steeply twenty-five or thirty feet at the borders of the formation; at places they attain a maximum height of almost six hundred feet. They form a striking feature of the landscape for the dry gypsum powder is sparkling white and glistens in the sun with dazzling brilliancy.[9] Salt

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[9] D. T. MacDougall, Botanical Features of North American Deserts, pp. 12-16.

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marshes are also found in the Tularosa Basin, northeast of the White Sands.

South of the divide, in the Hueco Basin, there is neither salt nor gypsum. Here the soil is slightly reddish or brown sandy loam, in appearance not unlike that of the Great deposits. The surface appears flat, but it rises toward the north at the rate of about seven feet per mile and on the eastern and western margins the alluvial slopes are much steeper. Near the Franklin Mountains these slopes are deeply cut by arroyos, the mouths of which are marked by cones of detritus, whose outer margins coalesce with the wash from the intervening slopes. The eastern and western borders of the basin are much dissected by the occasional torrential rains. Because of the evaporation and porosity of the soil, the streams run only a few hours and for but short distances from the mountains. The only permanent flow is in the Rio Grande, which cuts diagonally across the Hueco Basin from El Paso to Fort Quitman, a distance of about ninety miles. The river valley is deeply eroded, from two hundred to five hundred feet below the surface level of the plain. The edge of the bolson forms a scarp line, which marks the northeastern boundary of the bottom lands. The valley slope, which is accomplished in about one mile, is weathered into typical bad lands.[10]

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[10] This description of the Hueco Bolson is adapted from Hill, Physical Geography, pp. 8-9, and Richardson, El Paso Folio, pp. 2-3.

In the El Paso district the eastern boundary of the Hueco Bolson is formed by the southern extremity of the Sacramento Mountains and the northern and western escarpments of the Diablo Plateau. The Sacramento Mountains are part of a northwest-southeast trend, which extends from latitude thirty-four degrees to thirty-two degrees. The mountains of these ranges are the highest in the Trans-Pecos region of Texas.[11]

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[11] Hill, Physical Geography, p. 4.

Northeast of the Hueco Basin is a flattish topped upland, the Diablo Plateau, a part of whose eroded escarpments lie within the El Paso district. Beginning on the northeast, near the state line, two isolated groups of peaks of igneous rocks and lava-capped mesas, known as the Sierra Tinaja Pinta and the Cornudas Mountains, mark the division between plateau and bolson. On the west front of the plateau, from north to south, are the Hueco and Finlay Mountains. The Hueco Mountains are igneous protrusions; they occupy a belt six or eight miles wide and about twenty five miles long. They rise about one thousand feet above the surface of the plain to the general level of the plateau; seen from the west, they present an even skyline broken by a single peak, that of Sierra Alta, which rises majestically far above the main ridge.[12]

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[12] Richardson, Van Horn Folio, pp. 1-2

Hill, Physical Geography, pp. 4-5.
Richardson, El Paso Folio, pp.2-3.
G. S. Schumard, A Partial Report on the Geology of Western Texas, p. 101.

West and south of Sierra Alta, on the opposite side of the main range of the Hueco Mountains, between them and the outlying foot hills, three groups of igneous rocks rise one hundred to one hundred and fifty feet above the desert floor to form a natural amphitheater. The sheltered interior and the surrounding walls of huge rock masses occupy an area of about five hundred acres. In the rocky walls are many caves; some large enough to shelter fifty people, some so small that they would be crowded by half a dozen; some close to the ground and easily accessible, some high in the precipitous slopes, to be reached only by difficult climbing. Among the rocks are several pools and wells of clear, pure sweet water; one of the largest "tanks" is in a cave high up in the western interior wall, sheltered by an overhanging rocky ceiling. It is from these pockets of precious water that the place gets its name, Hueco Tanks. Because of the ease with which it can be defended and the practically unfailing supply of water, Hueco Tanks has been an important watering place since prehistoric times. On the rocks are painted and etched Indian pictographs and the names of mid-nineteenth century soldiers and emigrants.

One other feature of the western region of Trans-Pecos Texas remains to be noted although it does not lie within the circle of the El Paso district. This is a true desert bolson

more than one hundred miles long, with an average width of about fifteen miles. It lies between the Sacramento Mountains on the north, the Sierra Viaje, Eagle Mountains, and Diablo Plateau on the west, and the Guadalupe and Davis Mountains on the east. The lowest depression of the Salt Flat is at its northern end near the New Mexico line, where there is a series of salt marshes or lakes, known in the 1870's as the Guadalupe Salt Lakes, marked on recent maps as the Howard Salt Lakes. These salinas evaporate into pure salt, white and granular, very similar in appearance to refined salt. They have been used by the Mexicans for many years. About five years ago salt was being taken out of the lakes by the wagon load, but so rapid is the rate of evaporation and so great the amount of mineral in solution, that in the morning the inroads of the preceeding day have been replaced. The northern part of the bolson is known as the Howard Salt Lake Basin and the region of the salinas as Crow Flats; south of the Texas and Pacific Railroad its extensions are the Ryan and Eagle Flats.[13]

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[13] Richardson, Van Horn Folio, p. 2.
J. E. Johnston, Reconnaisances of Routes from San Antonio to El Paso, Sen. Ex. Doc. No. 64, 31 Cong. 1 Sess., Ser. No. 562, p. 202.
Mr. George Booth--interview.

West of the Sierra Oscura, of which the Organ and Franklin Mountains are a part, are other desert plains similar to those on the east, and constituting a part of the series

through which the Rio Grande flows. More than one hundred miles above El Paso the river enters the Mesilla Bolson. Near the northern limits of the El Paso district, the Rio Grande begins its diagonal crossing of this plain between Rincon on the northwest and Fort Seldon and the Doña Ana Hills on the southeast. That part of the bolson northeast of the river is known as the Jornada del Muerto; the southwestern part is called La Mesa and it extends across southern New Mexico and into Mexico. Only the extreme southern tips of the Jornada del Muerto and the Caballos Mountains on its western boundary, are within the limits of the El Paso district.[14]

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[14] Fenneman, Physiography of Western United States, pp. 388-389.
Hill, Physical Geography, p. 9.
Richardson, El Paso Folio, p. 3.

West of the Rio Grande the plains and mountains of the El Paso district lose some of the characteristics which distinguish those to the east. Here is not found the characteristic northwest-southeast trend of parallel and almost continuous mountain ranges and desert basins. Instead the mountains are usually detached ridges or occasional isolated hills. The Mimbres Mountains and Cook's Range touch the El Paso district in the extreme northwest; the Florida Mountains lie near the western border. Three isolated peaks, Cerro Magdalena, Robledo, and Picacho are near the western border of the Rio Grande Valley between Rincon and Las Cruces.

Separating and surrounding these mountains are wide bolsons, whose floors are nearly level. In places, as along the Southern Pacific Railroad between El Paso and Aden, lava covers the earlier deposits. The extreme western part of this region is drained by the Mimbres River. It is an intermittent stream, which has surface flow only in times of very heavy rainfall, when the water may pass as far south as Deming or even beyond. The river itself is outside the El Paso district; but Cook's Range and the Florida Mountains drain into it; and near Deming, in the Mimbres Valley, its underground flow provides water for one of the few cultivated areas outside the Rio Grande valley.[15]

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[15] N. H. Dalton, Geologic Atlas of the United States, Deming Folio, pp. 1-3.

The course of the Rio Grande in the El Paso district is through a succession of waste-filled valleys and narrow rock-walled gorges, cut through the intervening mountains. About seventy five miles above El Paso, the river returns to the broad upland wash of the Mesilla Bolson after a detour west of the Caballo Mountains. Diagonally, from northwest to southeast, it cuts a valley two hundred to three hundred feet below the level of the plain. This portion of the river bottom is known as the Mesilla Valley. Below the narrows near Fort Seldon it is about forty-five miles long and has an average width of about five miles. The soil is rich and irrigation is easy. The valley is bordered on the west by the escarpment of La Mesa, which

rises steeply from the level of the flood plain. On the east the boundary is not so definitely marked owing to the erosion of the western flanks of the Franklin Mountains, which leaves only remnants of this level as a fringing terrace. Between the flood plain and the western base of the mountains is an outwash alluvial slope, broken in places by low bluffs, whose grade is almost two hundred feet to the mile.[16]

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[16] Hill, Physical Geography, p. 9.
Richardson, El Paso Folio, pp. 2-3.

South of the boundary between Texas and New Mexico the valley becomes narrower; for several miles above El Paso the Rio Grande flows through a narrow gorge between the Franklin Mountains and the extension of the range in Mexico. This gorge is the famous "Pass of the North", from which the present city and county take their name.[17] The city of El Paso

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[17] Z. T. Fulmore, The History and Geography of Texas as Told in County Names, p. 202.

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is immediately below this pass and extends around the base of Mount Franklin, as the southern tip of the range of the same name is locally known. Across the river, to the south, is the Mexican town of Juarez. In the neighborhood of El Paso, the land rises from the river bottoms to the base of the mountain in a series of distinct benches or level mesas which are border-

ed on the river side by escarpments ten to fifteen feet high. These mesas are capped by beds of caliche or gravel, which protect the lower strata. In recent years the city has spread from the river bottom up these mesas for a considerable distance.[18]

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[18] Richardson, El Paso Folio, pp. 2-3.

Below El Paso the valley grows wider; its average width is five or six miles. Through this lowland, the El Paso Valley, which the Rio Grande has cut across the Hueco Basin, the river meanders in a general southeasterly direction to the Quitman Mountains, where it passes out of the El Paso district through another gorge. The river bottom is two hundred to five hundred feet below the level of the upland plain, the average depth being about two hundred and fifty or three hundred feet. The eroded escarpment of the bolson, on the north and east, is a prominent terrace; at the top there is a distinct and deeply weathered bluff which marks the division between the fertile valley and the desert plain. On the Mexican side of the river the transition from valley to plain seems to be less sharply defined although a similar escarpment is visible in places. Like the Mesilla Valley, the El Paso Valley is a garden spot, a veritable oasis. It is very fertile and has been farmed for many years. The first Anglo-American immigrants found the Spanish-speaking inhabitants cultivating vineyards and grain

fields. Tradition has it that the early Spaniards found Indians irrigating little garden plots.[19]

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[19] Richardson, El Paso Folio, pp. 2-3.
Z. M. Pike, Exploratory Travels Through the Western Territories of North America, pp. 335-336.

The climate of the El Paso district is characterized by low precipitation and high temperature. The winters are mild; only occasionally does the thermometer fall to zero or below and these occasions are more frequent and the minimums are lower in the north or in the higher altitudes. At midday in the summer the valleys and plains get very warm; temperatures of one hundred degrees or above are not uncommon from May to September. In the higher mountains, the summer temperatures rarely rise above ninety degrees. Throughout the region the lack of humidity and the altitude make the extremes of heat and cold more endurable than in more humid districts. Altitudes range from about fifteen hundred feet above sea level in the extreme southeastern valleys to between five thousand and eight thousand feet in the mountains. At El Paso the altitude of the valley is about thirty-five hundred feet. In the higher and more northern regions light frost may be expected after the last of September and killing frosts between the tenth and twentieth of October. In the lower valleys and in the south, frost appears usually during the first half of November. It will last over the greater part of the district until April,

and, in places until May. Therefore, the growing season lasts from 120 to 220 days.

Precipitation in the immediate vicinity of the Rio Grande averages less than ten inches a year, with great annual variations; the largest amount ever recorded at El Paso was 19.17 inches in 1881; the smallest 2.22 inches ten years later. In the mountainous regions the amount of precipitation increases to twelve inches or more, owing to local snows and showers. While some snow falls on every part of the El Paso district, the heaviest snows are in the mountains, the amount increasing with the altitude. Most of the precipitation is in the summer. The rains are usually local and of short duration, frequently they are so heavy as to be almost cloudbursts. The region lies outside the normal storm track, except for a few winter storms which originate along the Pacific coast and travel east across southern New Mexico. There are few rainy days; the number ranges between twenty-two and forty in the lowlands to between fifty and seventy in the mountains. Sunshine is abundant, about seventy-five to eighty per cent in the neighborhood of El Paso.

There is much wind, usually from the south or southwest, except in certain small areas where the winds are deflected to the west, northwest, or perhaps the southeast. High winds and "sand storms" occur most frequently in the spring and summer; there are few wind storms in the fall and winter.

The humidity ranges from forty per cent in the drier

districts, to forty-five or fifty per cent in the moister valleys and foot hills, and up to fifty-five or sixty in the wettest areas.

Some statistics from the Weather Bureau at El Paso will illustrate the above generalizations:[20]

Monthly and Annual Mean Temperature, 1881 to 1927

January	44.6	July	81.6
February	49.4	August	79.8
March	55.8	September	74.2
April	63.4	October	63.9
May	71.8	November	52.5
June	80.4	December	45.0
	Annual 63.5		

Annual Precipitation

1879	6.80	1896	9.79	1913	7.09
1880	15.37	1897	12.41	1914	17.02
1881	19.17	1898	6.16	1915	10.26
1882	8.27	1899	7.30	1916	7.77
1883	12.92	1900	7.95	1917	6.49
1884	18.30	1901	8.68	1918	8.21
1885	7.31	1902	10.15	1919	9.87
1886	8.06	1903	11.63	1920	6.21
1887	6.76	1904	11.30	1921	6.92
1888	9.79	1905	17.80	1922	4.30
1889	7.10	1906	14.99	1923	8.13
1890	8.49	1907	8.41	1924	7.28
1891	2.22	1908	6.94	1925	6.51
1892	5.32	1909	4.33	1926	11.73
1893	10.88	1910	4.03	1927	6.25
1894	4.24	1911	10.88	1928	8.21
1895	10.20	1912	10.14		

Annual Average Precipitation for This Period; 9.0808 inches.

Temperature

Mean
Maximum 75
Minimum 52
Monthly 64

Extremes
Highest 106, June 24
Lowest 13, January 24

Relative Humidity, per cent

8 a. m. 59
8 p. m. 33

Precipitation

Total 11.73
Greatest in 24 hours 1.66, July 27
Snowfall 2.1

Sunshine

Number of hours 279
Per cent of possible 75

Wind

Average hourly velocity 8.7
Prevailing direction NW
Highest velocity 52, from the west on March 29.

Average number of days

Winds, 40 miles per hour or over,	15
Clear	225
Partly cloudy	107
Cloudy	33
With precipitation(0.01 inch or more)	71
With snow(0.01 or more)	4
Thunderstorms	25
Maximum temperature	
32 degrees or below	1
90 degrees or above	104
Minimum temperature	
32 degrees or below	35
Zero or below	0

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[20] This account of the climate of the El Paso district is summarized from C. E. Linney, Summaries of Climatological Data by Sections, 2 ed. I, sect. 2, pp. 1-2; the statistics are from R. M. Shaver, Annual Meteorological Summary, 1926, El Paso, Texas, U. S. Department of Agriculture.

Desert conditions prevail over the greater part of the El Paso district; and, except for the river valley and certain mountain areas, the vegetation is of the sort that is usually associated with semi-arid regions. On the plains are scattered shrubs and grasses. Groves of scrubby mesquite and greasewood are common; in the vicinity of El Paso creosote bush is found scattered over great areas. Interspersed with the woody plants are several varieties of yucca and cactus. Grama grass grows in the Hueco Basin and bunch grasses on the plains north and west of the Rio Grande. In the arroyos and on the foothills, desert willows and a few shrubs of other varieties mingle with the prevailing greasewood. On the mountain slopes are the yucca belts, where bear grass, sotol, agave, lechuguilla, ocotilla, and many varieties of cactus abound. Trees are found only on the mountains. Junipers and small pines grow on the slopes of most of the ranges but are absent from the Franklin Mountains: a few aspens and cottonwoods are found in its higher ravines. The only forests of the district are in the Sacramento Mountains, where large pines grow in great quantities. It is said that during the middle years of the nineteenth century the Organ Mountains bore a considerable growth of large pine and oak timber, especially on the eastern slopes; there are no groves or forests now.[21] In the spring

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[21] Bartlett, Personal Narrative, I, 196.

J. Pope, "Report of Exploration of a Route for the Pacific Railroad near the Thirty-Second Parallel of North Latitude From the Red River to the Rio Grande, 1854" in Reports of Explorations and Surveys for a Railroad from the Mississippi River to the Pacific Ocean, II, 1855, Sen. Ex. Doc. No. 91, 33 Cong., 2 Sess. Ser. No. 792, p. 44.

R. B. Marcy, "Report" in Reports of the Secretary of War with Reconnaisances of Routes from San Antonio to El Paso, Sen. Ex. Doc. No. 64, 31 Cong. 1 Sess. Ser. No. 562, pp. 198, 201.

The only timber on the Organ Mountains of which the writer has any information is the scrubby growth of juniper on the eastern and western slopes and a few large trees in the deeper canyons. In 1849 Thomas J. Bull, who had served in the Quartermaster's Department during the Mexican War, started from New Orleans to California. He got as far as El Paso, where he stayed some time. From there he went to Mesilla, New Mexico, where he busied himself with supplying the United States Government with lumber. This lumber came from the Organ Mountains. It sold in El Paso for $200 per thousand feet. With the profits from this undertaking Bull established himself in business in the Mesilla Valley, where he became a successful merchant and farmer. ---Anon., Illustrated History of New Mexico, p. 559. Some hints of lumbering in the Organ Mountains during the Civil War have been found.

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and during the rainy season many small flowering plants appear on the plains and mountain slopes. Willow and cottonwood trees are native and are found near springs and along water courses. Cottonwoods are numerous all along the Rio Grande and fifty years ago they "marked the former channels from which the Rio Grande has retreated in its gradual movement southward."[22]

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[22] Darton, Deming Folio, p. 2.
Hill, Van Horn Folio, p. 12.
Richardson, El Paso Folio, p. 2.
Richardson, Van Horn Folio, p. 1.
El Paso Times, Midsummer Trade Edition, August 1887. This edition bore no other date than the one given; clippings from it are in a scrapbook belonging to Major Richard Burgess of El Paso.

In the valleys tornillo, Bird of Paradise bush, and

several varieties of tamarix grow in considerable numbers, especially in the localities moistened by seepage water. Tornillo, sometimes called screw bean, resembles mesquite somewhat, but grows taller than the scrubby mesquite near El Paso, reaching a height of eight feet or more. It is characterized by its seed pods which when ripe form clusters of tightly twisted spirals. Bird of Paradise is not so common; it gets its name from the brilliant yellow and scarlet blossoms which are borne profusely throughout the summer.

The native animal life of the El Paso district was limited by the food supply, as desert vegetation is never abundant. Early writers mention bears, deer, antelope, and wolves as numerous in the mountains. In the late 1880's the county government was paying a bounty for the scalps of mountain lions and coyotes. Beavers were found along the rivers. Early in the nineteenth century great herds of antelope roamed over the plains between the Rio Grande and the Hueco Mountains. They have all been killed; but many jack rabbits and some cotton tails flourish, and an occasional coyote or skunk may be seen. Rattlesnakes are fairly numerous, especially on rocky slopes. Prairie dogs are seldom seen nowadays. Crows and blackbirds swarm over the grain fields of the valley; a few red birds flash through the orchards or among the trees along the roadsides. In the mountains, little wrens pipe sweetly. Chaparrel cocks are common on the plains and in the arroyos; sometimes they are bold enough to invade the outskirts of the towns. Wild ducks, wild geese, sand hill cranes, doves, and quails are still sufficiently plentiful to repay many hunters for a morning's tramp along the river bottom or across the desert. Some catfish are

caught along the drainage canals, and large eels were mentioned by one early writer; but there is little evidence that fish were ever abundant in the Rio Grande.[23]

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[23] E. H. Bowman, "Fort Bliss-Military Post" in Hygiene of the United States Army, U. S. Surgeon General's Office, Circular No. 8, p. 295.
J. T. Hughes, "Diary" in W. E. Connelley, Doniphan's Expedition and the Conquest of New Mexico and Arizona, p. 390.
Bartlett, Personal Narrative, II, 556.
El Paso Times, Feb. 24, 1885 and Dec. 17, 1889.
J. N. Phillips, Ysleta, The Oldest Settlement in Texas, Ms. in possession of the writer.
G. F. Ruxton, Wild Life in the Rocky Mountains, p. 26.

The mineral resources of the El Paso district are varied, but only a few have any great commercial value. Gold has been mined in the Jarilla and Organ Mountains; silver in the same region and in the Sacramento and Florida Mountains; but the deposits that were found are exhausted or the ore is of too low grade to be worked at a profit. Small amounts of tin have been taken from the Franklin Mountains and of lead and copper from the Jarilla Mountains. Lead has been found in the Organ and Sacramento Mountains and at Picacho; zinc, in the Sacramento and Jarilla Mountains; and iron at Picacho and in the Jarilla Mountains. Gypsum exists in the White Sands in "inexhaustible quantities" and the salt from the marshes of the Tularosa and Howard Basins has been of considerable economic importance.[24]

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24 H. H. Bancroft, North Mexican States and Texas, II, 565.
H. H. Bancroft, History of New Mexico and Arizona, pp. 749-753.
Darton, Deming Folio, p. 13.
Richardson, El Paso Folio, pp. 9-11.
El Paso Times, Golden Jubilee Number, May 1923; this has no other date.

The real mineral wealth is found in more prosaic things than precious metals, in stone, clay, sand and gravel, fertile soil and water, especially water. Porphyry, suitable for building and road making, and limestones, for road materials, lime burning, and Portland cement, are found in the mountains near El Paso and close to Deming. The adobe clays have been used by the Mexicans for years for making sun dried bricks; flood plain clay and shales are manufactured into wire cut and pressed brick. Sand and gravel are used on roads, for building purposes, for sand lime brick, and cement blocks. The valley soils, enriched by river silt, are very fertile. The soil of the Hueco Basin is good also, but the lack of rainfall and the present impossibility of securing an economical water supply for irrigation make farming impossible. However, bunch grass thrives and wells furnish enough water for stock so that the region is a valuable cattle range. On the plains east and west of El Paso, water is reached at depths of less than two hundred to six hundred feet; the water is raised by pumping with wind mills. The Mesilla and El Paso Valleys are irrigated from the Rio Grande, whose waters are impounded by the Elephant Butte Dam, about one hundred and

twenty miles above El Paso. Since the dam was finished in 1917, the old obstacle to successful irrigation, an intermittent flow, has been overcome. The Rio Grande has the only constant flow of surface water in the district. Some ranches depend on mountain springs, but these sometimes fail in dry seasons. In the valley wells are usually sunk about sixty feet, though water is often found at ten or fifteen feet below the surface; part of the water comes from water bearing beds below the Hueco Bolson; most of it is seepage from the river. Mesa wells furnish the water supply of the city of El Paso.[25]

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[25] Darton, Deming Folio, p. 13.
Fenneman, Physiography of Western United States, p. 388.
Richardson, El Paso Folio, pp. 9-11.
Throughout the foregoing description of the El Paso district statements of a non-technical and non-scientific nature have been made based on the writer's personal observation.

Although the El Paso district had been occupied by the Spanish during the second half of the seventeenth century, at the opening of the nineteenth century it was inhabited by a sparse population of Mexicans and Indians. The wild Apaches roved the plains or sought refuge from their enemies in the fastness of the mountains. The Spaniards and civilized Indians lived in a few little villages scattered along the left bank of the Rio Grande. None of these hamlets was in the Mesilla Valley; north of El Paso there was not a settlement for almost two hundred miles. Just below the gorge was one of the three most im-

portant towns in the province of New Mexico, La Villa de Nuestra Señora de Guadalupe del Paso (the Town of Our Lady of Guadalupe of the Pass), commonly called Paso del Norte. Below Paso del Norte were Senecú, Ysleta, Socorro, and San Elizario.[26] Modern

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[26] Pike, Exploratory Travels, p. 334.

Juarez was known as Paso del Norte until 1889.

European settlement in the El Paso district resulted from the efforts of the Spanish missionaries to convert the Indians of that region. Although the general course of Spanish settlement was north and northwest from central Mexico, the first settlers at the Pass came from the south. In 1659 Father García de San Francisco y Zuñiga came from northern New Mexico, bringing ten families of Christian Indians to assist him in his work among the heathen Mansas and Sumanas. December 8, 1659 he founded a mission, having built a little church of branches and mud and a monastery thatched with straw. A more substantial building was soon started; the corner stone was laid April 2, 1662, and on January 15, 1668, the church was dedicated to Nuestra Señora Guadalupe Mexicana. The present church in Juarez is said to be this one. Two other missions were established in the region and a number of Spanish settlers had come in before 1680.

In 1680 these settlements were augmented by refugees from the Pueblo Revolt of that year. Almost two thousand

Spaniards and more than six hundred Indians from the pueblos of northern New Mexico came to the Pass of the North in the autumn of 1680 and 1681. Because of the difficulty of maintaining so many people in the immediate neighborhood of Guadalupe mission, they were scattered in several settlements, some of which were given the names of northern pueblos. Some time later several of the new settlements were brought closer to El Paso,--the name was used as early as December 8, 1569,--where the presidio was established. Of these early establishments San Lorenzo, Senecú, Isleta, (now Ysleta, Texas), Socorro, and the town which grew up around the mission of Nuestra Señora Guadalupe survived through the eighteenth century. San Elizario had been established as a presidio by the end of 1793.[27]

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[27] A. E. Hughes, "The Beginnings of Spanish Settlement in the El Paso District", University of California Publications in History, I, No. 3, pp. 303-391, passim
H. E. Bolton, Guide to Materials for the History of the United States in the Principal Archives of Mexico, p. 83.

The evidence indicates that Paso del Norte was a flourishing little town; there was at least one merchant prince and ranchman who pastured twenty thousand sheep and a thousand cows in the neighborhood. There seems to have been a school with 584 pupils in 1806, though the number fell to 460 the next year. There were no beggars or vagrants. Fields of wheat and other small grain were well cultivated, although the ground

was broken with a hoe. The "numerous vineyards ... produced the finest wine ever drunk in the country, celebrated throughout all the provinces, and was the only wine used on the table of the commanding general." This wine sold in New Mexico at $15 per barrel. The vicinity was irrigated by means of a large canal which drew water from the river at a point about two miles above the town. At this place there was a bridge. Its existence is indicative of considerable travel and traffic from and through Paso del Norte to the towns of northern New Mexico. Concerning the trade of this region, it was written in 1825: "At the Paso del Norte, an important village, the grape is cultivated to a very considerable extent, of which they prepare excellent wine and brandy.... For these articles they find market at Santa Fé and Chihuahua. Dried grapes, apples, onions, etc., are taken down in great abundance. Chihuahua and its vicinity, with all the territory north of it, is supplied with salt from a lake in the neighborhood of the Passo."[28]

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[28] Dr. Willard, "Inland Trade with New Mexico" in James O. Pattie, The Personal Narrative of James O. Pattie, pp. 349-350.
Bancroft, History of Arizona and New Mexico, p. 304.
Pike, Exploratory Travels, pp. 285-287, 335-336.

Below Paso del Norte were the villages of Senecú, Ysleta, Soçorro del Sur, and San Elizario, in this order.[29] San Elizario was a frontier post with a garrison of a hundred

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29 The proper spelling seems to have been San Elceario, but San Elizario has become the accepted form. Bartlett wrote San Eleazario because the name was so pronounced and spelled by the people. Many variations are found among the early writers.--Bartlett, Personal Narrative, II, 403 note. Hague to Hatch, Jan. 10, 1878. El Paso Troubles, House Ex. Doc. No. 93, Ser. No. 1809, p. 49.

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or more dragoons. Hanging about the fort, drinking and shooting, were a number of Apaches. These Indians, who roamed over southern New Mexico and Chihuahua, kept the frontiers in a continual state of alarm. The Spanish authorities made treaties with some of the bands, trying to purchase security at the rate of twenty five cents a day. There were some old pear trees at San Elizario and at Ysleta. Those at the latter place had been planted along the acequias in accordance with an old duty imposed on the owners of colony lots. Perhaps those at San Elizario had been planted in obediance to the same law.[30]

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30 Rey to Alencaster, Aug. 31, 1806, New Mexico Archives, Aug. 31, 1806-July 20, 1810, University of Texas Library photostats.

Pike, Exploratory Travels, pp. 285-287, 337-341, 356.

El Paso Times, Midsummer Trade Edition, Aug. 1887.

O. W. Williams, In Old New Mexico, Ms., University of Texas Library, pp. 5-6.

During the second half of the eighteenth century, the El Paso Valley was famous for its orchards and vineyards, its wine and aguardiente. Some three thousand acres of land was under cultivation, watered by acequias, whose construction had been begun by the Indians under the supervision of the Spanish priests. The river was dam-

med above Paso del Norte at the place where the permanent dam was subsequently built by the Americans and close to the old Spanish bridge. The ditches in the El Paso Valley are the earliest community acequias built in Texas.[31]

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[31] Bancroft, History of Arizona and New Mexico, p. 276. E. P. Arneson, "Early Irrigation in Texas" in Southwestern Historical Quarterly, XVI, 121-122. W. A. Hutchins, "The Community Acequia, Its Origin and Development" in Southwestern Historical Quarterly, XXXI, 280. Anson Mills to Col. E. S. Nettleton, Nov. 10, 1889 in El Paso Times, Jan. 2, 1931.

The El Paso district, so isolated and obscure a century ago, had certain natural advantages which were destined to make it an important center of trade and population. A mild climate, fertile soil, facilities for grazing, and, above all, a strategic position with regard to lines of communication; these have been the important factors in its development.

Most of these advantages were realized by the early Anglo-American visitors. George W. Kendall, the historian of the ill-fated Texan Santa Fé expedition, pointed out the suitability of the soil for corn, wheat, beans and pumpkins; and avowed his belief that sweet and Irish potatoes would do well. The correctness of his idea about Irish potatoes has been recently demonstrated; quantities of sweet potatoes have been grown for many years. He also declared that under Anglo-Saxon cultivation the region might support five times the population it had in the early forties.[32]

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[32] G. W. Kendall, Narrative of an Expedition Across the Southwestern Prairies, from Texas to Santa Fe, I, 421-422.
In 1805 Governor Alencaster reported that there were 6209 Spanish at El Paso; an unofficial report of the ayuntamiento gives the population as 8384 in 1822. Bancroft, History of Arizona and New Mexico, pp. 300, 301, note. In 1930, the population of El Paso County was 131,597. Texas Almanac, 1931, p. 136.

W. H. Emory thought the climate too dry for agriculture according to the ideas of the eastern part of the United States, and prophesied that any people who might come to occupy the mountains or the plains to the east of them would be compelled to depend on mining or grazing or grape cultivation. He observed that the region was suited to cotton culture. Pope was another who noted the "peculairly favorable character for grazing" [33] of the uplands.

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[33] W. H. Emory, Report of the United States and Mexican Boundary Survey, Sen. Ex. Doc. No. 135, 34 Cong. 1 Sess. I, Ser. No. 836, p. 49.
J. Pope, "Report of Exploration for the Pacific Railroad" in Reports of Explorations and Surveys for a Railroad from the Mississippi River to the Pacific Ocean, Sen. Ex. Doc. No. 91, 33 Cong., 2 Sess. Ser. No. 759, pp. 7-8.

The advantages for trade and transportation are due to the Pass of the North, where all the routes, north and south, east and west, are bound to converge at the most practicable passage through the mountains for many miles in either direction. Within the El Paso region vehicular traffic can cross the long

north-south chain of the Sierra Oscura in three places. In the Organ Mountains, about twenty miles northeast of Las Cruces, the San Augustine Pass ascends by a fairly easy grades to a dip in the crest a few hundred feet lower than the peaks on either side. There is water at a spring at the base of the mountains near the eastern foot of the pass. The grade is not too steep for motor traffic. San Augustine Pass is regularly used by the busses between Las Cruces and Alamogordo and by many motorists, either because of the beautiful scenery or because it shortens the distance between the towns of southeastern and southwestern New Mexico. However the climbing is difficult and must have been doubly so when the ascent was made by patient animals hauling heavy loads.

The gap between the Organ and Franklin Mountains about eighteen miles north of El Paso is a broad and level desert. There is practically no grade, but the lack of surface water and the deep sand, which covers the floor of the plain, make crossing difficult. It is practically unused today and there is little evidence of its use in the past.

The impracticability of the two northern passes enhances the importance of that at El Paso. From the early days of Spanish occupation this Pass of the North was used by the travelers between Chihuahua and Santa Fé; coming from the south, they struck the Rio Grande at, or below, this point and followed the river through the mountains and on to the north.

The advantages of this pass for a transcontinental railroad were realized early by the Americans. Said the Austin State Gazette, on August 24, 1850, "It is the only practicable pass, within the jurisdiction of the United States, for the great railroad to connect the waters of the Atlantic and the Pacific."[34]

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[34] Quoted in W. C. Binkley, The Expansionist Movement in Texas, 1836-1850, p. 216.

Forshey, Bartlett, Marcy, Neighbors and many other explorers and travelers recommended that the proposed transcontinental railroad should cross the Rio Grande at El Paso. Some of them foresaw the growth of population that would result from its construction.[35]

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[35] Bancroft, History of Arizona and New Mexico, p. 801.
Bartlett, Personal Narrative, II, 507-571.
R. B. Marcy, Exploration of the Red River of Louisiana in the Year 1852, Sen. Ex. Doc., (No number), 33 Cong., 1 Sess., p. 124.
Pope, "Report" in Reports of Explorations and Surveys, Sen. Ex. Doc., No. 91, 33 Cong., 2 Sess., Ser. No. 759, pp. 48-49.
W. H. H. Davis, El Gringo, p. 380.
Texas State Gazette, (Austin), September 29, 1849 and November 3, 1849.

CHAPTER II

THE COMING OF THE AMERICANS

The beginning of Anglo-American interest in and contact with the Spanish settlements in the El Paso district is obscure. The questions of the identity of the first traveller or immigrant, his reasons for journeying so far from the habitations of his own kind, his personality, his pioneering activities, are matters of considerable interest; but at present they must go unanswered. The earliest available record which establishes the presence of an English-speaking individual is bald and brief. One Joseph Manrique, in a letter to Governor Alencaster, of New Mexico, dated San Elecario (Elizario), August 31, 1806, reported a convoy of horses and mules, captured from the Indians in the Sacramento and Guadalupe Mountains, under the command of Sergeant Miguel Portillo, and added that he had given three pesos each to the five men who accompanied the sergeant and "the same to the Anglo-American who had joined the party."[1]

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[1] Manrique to Alencaster, Aug. 31, 1806 in New Mexico Archives, Aug. 31, 1806-July 20,1810, University of Texas Library photostats.

Another letter of the same date offers an interesting subject for speculation. It, too, was written to Governor Alencaster, by the lieutenant governor at El Paso, and is the answer to a letter from the governor, written August 16, granting permission for the Anglo-American, Dimas Proscel, to travel in his capacity as carpenter with Don Juan Antonio Garcia in the pueblo of El Paso but not to leave for any other place except Chihuahua without permission. The said Anglo-American had a passport, which he showed. The similarity of the name Proscel with that of James Purcell, the James Pursley of the Pike Narrative, is intriguing; Purcell reached Santa Fé in June, 1805; he was a carpenter by trade, he was promised a passport whenever he asked for it, but he had been oblidged to give security that he would not leave the country without the permission of the government. However, Pike, who is the source of so much information concerning Purcell, does not mention any journey on the part of Purcell to El Paso or Chihuahua; and Twitchell, who had other sources of information at his disposal, says that he remained many years in Santa Fé where he was held under strict surveillance.[2]

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[2] Pike, Exploratory Travels, pp. 314-316.
R. E. Twitchell, The Leading Facts of New Mexico History, II, 94-95.
Rey to Alencaster Aug. 31, 1806, New Mexico Archives, Aug. 31, 1806-July 20, 1810, University of Texas Library, photostat.

The first American whose own record of his experiences in the El Paso territory is known is Zebulon Montgomery Pike. This daring adventurer, having marched with a handful of men eight hundred miles from the American frontier into the heart of the southern Rocky Mountains in the winter of 1806-1807, was captured on the Spanish or western side of the Rio Grande and taken to Santa Fé. There the Spanish authorities treated him most courteously, but relieved him of his papers and sent him to Chihuahua to appear before General Salcedo, and finally returned him to the United States by way of Coahuila and Texas. On the journey from Santa Fé to Chihuahua, Pike's party passed through the Mesilla and El Paso valleys and spent a few days at Paso del Norte and San Elizario. The river road was followed for the whole distance, so that the discomfort of the waterless journey across the Jornada del Muerto was avoided. Near the southern end of the Caballos Mountains, the Rio Grande, which had been crossed and re-crossed several times, was forded again, and the party followed the main road on the east side to Paso del Norte. March 20, 1807, camp was made at a salt lake, which was probably near the present town of Canutillo, Texas. About eleven o'clock on the morning of Saturday, March 21, Pike reached Paso del Norte. He was entertained at the house of the wealthy "merchant and planter", Don Francisco Garcia, he who owned the twenty thousand sheep and the thousand cows, and was hospitably received by Lieutenant-Governor Pedro Roderique Rey and the vicar, Joseph Prado. Monday Pike went to San Elizario, where he stayed in the

home of the captain of the garrison. The captain was in Chihuahua, but his wife and sister entertained Pike "in a very elegant and hospitable way. They began playing cards and continued until late the third day." Thursday morning Pike attended mass at the garrison. All the troops were present under arms; at one point in the service they all presented arms; at another they sank on one knee and rested the muzzle of the gun in the ground, in token of submission to God. Early that afternoon, Pike said goodbye to the "friendly hostess, who was one of the finest women I had seen in New Spain"; and the journey to Chihuahua was resumed.[3]

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[3] Pike, Exploratory Travels, pp. 262-264. The name given by Pike to the lieutenant-governor at Paso del Norte is not the same as that given in the New Mexico Archives.

The next American who entered the El Paso district came, like Pike, involuntarily. In November, 1809, three men, by name Smith, McClanahan, and Patterson, guided by Manuel Blanco, a Spaniard, left St. Louis for Santa Fé. Among the New Mexico Archives is the draft of a letter, dated at Santa Fé on March 31, 1810, which bears a marginal note to the effect that the Governor Interno of New Mexico presents to the Commanding General three foreigners, a Spanish interpreter, and two slaves who were found in the rancherias of the Comanches, as they were coming from Alta Luisiana, together with their papers.

The draft letter gives the name of the foreigners as Jose MeLanchan or MeLanahan, Robi--Smit, Jayme Pattson. It gives the details of their capture the preceding February, and their attempt to persuade the governor that their object was to establish themselves on Spanish territory. Far from believing them merchants, the governor was convinced that they were soldiers, commissioned by Congress to spy out the land. So he was holding them at Santa Fé until a party should be made up for San Elizario, with which he would send them to the presidio there. He advised the commander to guard them closely until the commanding general should determine their disposition.

A letter of May 13, 1807, from Commandante-General Salcedo to the Governor-Interno contains a newspaper report, dated February 7, concerning a mercantile expedition which started for Santa Fé on the twentieth of the preceding November, of which Captain R. Smith, Mr. MeLanchan and Mr. Palterson (sic) were members. May 14, Salcedo wrote again to the Governor-Interno laying emphasis on a previous order authorizing the arrest and transportation to San Elizario of all foreigners. Another letter to Salcedo from the governor at Santa Fé, dated July 20, 1810, states that Smith and his companions had been sent to the Commandante-General. In none of these letters is there any definite statement that these men were actually brought to San Elizario and imprisoned there, nor is there

any statement as to their ultimate fate.[4]

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[4] Draft, Governor-Interno to Salcedo, March 31, 1910, New Mexico Archives, Aug. 31, 1806-July 20, 1810, University of Texas Library, photstats
Salcedo to Governor Ynterno, May 13, 1810, Ibid.
Salcedo to Gubernador Ynterno, May 14, 1810, Ibid.
Governor Interno to Salcedo, July 20, 1810, two letters, Ibid.
Twitchell, Leading Facts of New Mexican History, II, 97-98.

Between 1810 and 1824 a number of Americans passed through the El Paso district, who may be regarded as precursors of the Santa Fé traders. Thomas Maitland Marshall is of the opinion that the fur trader preceded or accompanied the merchant in the Santa Fé trade. There were beavers along the Rio Grande and antelope and deer on the surrounding plains; in the mountains at distances not too great for hunters were larger fur bearing animals. According to the records, it was beaver that attracted the attention of American hunters in the region. The president of the district of El Paso, writing to the governor of Chihuahua, under date of December 21, 1826, stated that American fur traders "in previous years ... have hunted all along the river of this jurisdiction, securing a quantity of beaver peltry." One of the few Anglo-American names definitely connected with this territory during this period is that of James Baird, an American fur trader, who became a Mexican citizen, and in 1826 was engaged in beaver hunting near El Paso.[5]

[5] T. M. Marshall, "St. Vrain's Expedition to the Gila in 1826" in Southwestern Historical Quarterly, XIX, 251-260, passim.

Two travellers from the United States, whose writings may have stimulated interest in the possibilities of trade between that country and New and Old Mexico are James Pattie and Dr. Willard. Pattie was neither merchant nor fur trader. His father was interested in the copper mines at Santa Rita, and in the latter part of October, 1826, Pattie stayed a day or two at Paso del Norte on his way thither. Early the following May he was back again, searching for the defaulting clerk who had absconded with $30,000 belonging to his father and his father's associates. Dr. Willard, a physician of St. Charles, Missouri,-- history identifies him no more than this-- joined a caravan to New Mexico and passed through Paso del Norte late in 1826 or early in 1827. Willard's account of trade and agriculture in the El Paso valley is similar to those of earlier and later writers; it has significance as one of the earlier accounts in English.[6]

[6] James O. Pattie, The Personal Narrative of, pp. 155-179, passim.

Willard, Dr., "Inland Trade with New Mexico" in Pattie, Personal Narrative, p.332, ff.

The travellers, whose presence in the El Paso district has been noted in the preceding paragraphs exerted only an indirect influence over its settlement by members of their own

race. Anglo-American occupation came as a direct result of three movements, which touched the territory only because it occupied a position at the intersection of two important natural lines of communication. The first of these movements is the development of trade between the United States and interior Mexico by way of Santa Fé and Chihuahua, the second is the Mexican War, and the third is the discovery of gold in California.

Although several attempts to establish commercial relations between the Mississippi Valley and the Spanish settlements in New Mexico had been made before 1807, Pike's report furnished the impetus which led to the founding of the Santa Fé trade. The attempt of Robert Smith, McClanahan and Patterson has already been alluded to, and the possibility that they were taken to San Elizario before they disappeared from history has been mentioned. In 1812 another unsuccessful attempt to trade with New Mexico was made by a group of men from St. Louis. In that year Robert McKnight, James Baird (Gregg calls him Beard), and Samuel Chambers headed a party of about twelve men who were successful in reaching Santa Fé. Unfortunately for them, at that particular time all Americans were under suspicion as revolutionary agents because of Hidalgo's recent unsuccessful revolt. So their goods were confiscated, and they themselves were seized and sent to prison in Chihuahua, where they remained until after the accession of Iturbide. In 1821 their release was secured through the efforts of Robert McKnight's brother, John.[7] This is the

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[7] Josiah Gregg, Commerce of the Prairies, I, 19-21. L. B. Prince, Historical Sketches of New Mexico, pp. 270-271. Twitchell, Leading Facts of New Mexican History, II, 92-98.

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same James Baird who five years later was engaged in hunting beaver in New Mexico. Between 1825 and 1828, with Andrew Curcier, formerly of Philadelphia and then a merchant in Chihuahua, Robert McKnight was working "an exceedingly rich copper mine about two days ride west of El Paso." In 1845 he was one of the owners of the Santa Rita Copper Mine.[8]

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[8] Marshall, "St. Vrain's Expedition to the Gila in 1826" in Southwestern Historical Quarterly, XXIX, 256-257. Willard, "Inland Trade with New Mexico," in Pattie, Personal Narrative, p. 350. Bancroft, History of Arizona and New Mexico, pp. 297-298 and note.

A curious story is told by a descendant of one of the McKnight brothers. They were engaged in trade in Mexico, selling salt and other things, and had been ambushed several times. Determined to have revenge, they got together a party of Americans and made an expedition into Mexico. Near Chihuahua, they were surprised again by the Mexicans. A battle followed. The McKnights were captured and imprisoned for ten years.--Interview with W. P. Casarez.

Despite misfortunes such as these and the restrictive policies of the Spanish authorities, American traders continued to bring their goods to Santa Fé. The establishment of Mexican independence ended the opposition of New Mexican authorities to American imports, which could be sold for much less than the foreign goods brought almost two thousand miles from

Vera Cruz by way of Chihuahua and Paso del Norte. In 1824 wagon trains began to haul the cargoes formerly carried by pack mules. After that date expeditions were more and more frequent. In 1825 the United States government began the survey of a road west of the Missouri line, and in the same year the first Mexican merchant from Chihuahua took a caravan over the trail. By that time, the trade between St. Louis and Santa Fé had been definitely established, and even extended from Santa Fé to Chihuahua.[9]

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[9] Gregg, Commerce of the Prairies, I, 21-31, passim. L. B. Prince, A Concise History of New Mexico, pp. 164-170. Twitchell, Leading Facts of New Mexican History, II, 91-118, passim.

Commerce between Santa Fé and Chihuahua was in fact not new. Pike had described the extensive trade between the two regions in 1807, had listed the commodities exchanged and their prices, and had pointed out the extreme dearness of manufactured goods in comparison with agricultural products. All of the traffic which he described must have passed through Paso del Norte. Dried fruits, raisins, onions, wine and a kind of aguardiente made at Paso del Norte from the grapes grown in El Paso Valley supplied the markets of Chihuahua and New Mexico. These last two articles became popular with American traders as "Pass wine" and "Pass whiskey." The first attempt to send American goods to the markets south of Santa Fé were made in 1824;

the amounts of merchandise sold in the south were small until about 1831. After that the "Chihuahua trade" increased and for a few years before 1843 about half of the imports from the United States were taken through Paso del Norte to the southern capital.[10]

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[10] Pike, Exploratory Travels, pp. 334-335.
Gregg, Commerce of the Prairies, II, 77, 162.
Thos. Falconer, Letters and Notes on the Texan Santa Fé Expedition, 1841, pp. 97-101.
Kendall, Narrative of an Expedition Across the Southwestern Prairies: from Texas to Santa Fé, II, 43.

The value of the merchandise which was taken through Paso del Norte indicates the magnitude of the traffic through that point:[11]

1824	$ 3,000	1834	$ 70,000
1825	5,000	1835	70,000
1826	7,000	1836	60,000
1827	8,000	1837	80,000
1828	20,000	1838	40,000
1829	5,000	1839	100,000
1830	20,000	1840	10,000
1831	80,000	1841	80,000
1832	50,000	1842	90,000
1833	80,000	1843	300,000

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[11] Gregg, Commerce of the Prairies, II, 160.

During the twenty years the total value of the merchandise of the Santa Fé trade as a whole was $2,895,000 while that of the trade to Chihuahua was $1,178,000. Perhaps the ratio between the two figures would roughly approximate that between

the number of traders and men engaged in the whole trade, which Gregg gives as 912 and 3040, respectively, and those employed in that portion which passed through Paso del Norte. In 1839 Josiah Gregg and his brother, John, took a train of fourteen road-wagons, a carriage and a Jersey wagon to Santa Fé. From that place Gregg took six wagons to Chihuahua, joining a party of several other traders; the whole number of wagons in the caravan was fourteen. The first party consisted of thirty four men, the second of about forty.[12]

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[12] Ibid., pp. 15, 69.

The Chihuahua trade followed the Rio Grande from the settlements of northern New Mexico to the northern end of the Jornada del Muerto, crossed that waterless plain, struck the river again at its southern end, and ran along its eastern bank to the Pass of the North, where it crossed the river again. From Paso del Norte the road traversed the dry plains of northern Chihuahua to the city of Chihuahua nearly three hundred miles to the southwest. Between Socorro and Chihuahua were only two settlements, the decaying village of Carrizal in the state of Chihuahua and Paso del Norte. Several efforts were made to divert this trade. In 1839-1840 Henry Connelly led an expedition from Chihuahua to Presidio del Norte for the purpose of establishing a direct route to the Red River, but the experiment was not repeated. In 1841 the Texan Santa Fé Expedition had for one of

its purposes the establishment of direct trade between the Republic of Texas and Santa Fé. Had either of these attempts succeeded, Paso del Norte would have been of less importance and the number of Americans passing through decreased. A more serious threat resulted from the Snively expedition. By Santa Anna's decree of August 7, 1843, the custom house at El Paso was closed. The purpose of the order, which closed all the northern ports of entry, was to put a stop to American trade. If this policy had been retained, a serious blow would have been struck at the prosperity of the El Paso district. Fortunately trade was re-opened by the decree of March 31, 1844, and continued to flourish for many years. During the period of the California gold rush, the merchants of Texas renewed the project of diverting trade from the Rio Grande to the cities of eastern Texas.[13]

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[13] Ibid., pp. 79; 163 note; 177 and note.
Kendall, Texas to Santa Fé, II, 14-16.
Texas State Gazette, (Austin) Nov. 6, 1849.
J. R. Bartlett, Personal Narrative, II, 364.
Twitchell, Leading Facts of New Mexican History, II, 69, 136-137.

Of the many hundreds of men who passed through the El Paso district with the wagons and pack mules of the Santa Fé traders and stopped to refresh themselves with the fruit and wine of El Paso, only a few are known by name. Of these, some are worthy of mention. One of the earliest was Richard Gott Williams, of Richmond, Kentucky, who in 1826 led a trading

expedition from St. Louis to New Mexico. Finding the markets at Taos and Santa Fé inadequate, he took his goods to Chihuahua. With that caravan came Kit Carson, then a youth of seventeen, running away from the saddler to whom he was apprenticed. It is possible that Carson left the Williams train at Paso del Norte.[14] Another who was destined to play an important part

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[14] W. O. Williams, "In Old Mexico", Ms. in University of Texas Library. Judge O. W. Williams, now a resident of Ft. Stockton, in 1880 passed through El Paso on his way to the mining districts of New Mexico. He is the grandson of Richard Gott Williams.

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in the American occupation of the El Paso Valley, was James Wiley Magoffin. He engaged in the trade between Santa Fé and Chihuahua before 1828 and continued in it for twenty years or more. His brother, Samuel, was also a trader to Chihuahua and conducted his wagon trains through Paso del Norte, where his young bride was hospitably entertained in 1846. His activities as a trader began in 1830. Josiah Gregg's descriptions of the region are based on observations made in 1835 and 1839. The members of the Texan Santa Fé Expedition had cause to remember the friendly little town with pleasure, for there they passed from under the authority of the brutal Captain Salazar to that of the courteous and kindly Colonel José Maria Elias González, who gave the prisoners a kind and generous reception and did all in his power to relieve their distress. In this humane office he was aided by the good priest, Ramón Ortíz.

Franklin ~~Coons~~ Coombs, who gave his name to one of the early American settlements, is said to have been a Santa Fé trader; the dates of his activities are unknown.[15]

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[15] Stella M. Drum, (ed.), Down the Santa Fé Trail and into Mexico, Preface, xviii-xxi, pp. 205-223, passim.
Gregg, Commerce of the Prairies, II, 76-79, 84-85.
Falconer, Letters and Notes, pp. 97-98.
Kendall, From Texas to Santa Fe, II, 24-42.
C. C. Cox, "From Texas to California in 1849; the Diary of C. C. Cox", in Southwestern Historical Quarterly, XXIX, 32.

Meanwhile on the left bank of the Rio Grande, opposite Paso del Norte, on the site of the future American El Paso, a settlement had been made. In 1827, Juan Maria Ponce de Leon, a resident of Paso del Norte, received from the Mexican government a grant of land, on which he established a ranch and built a house. As far as is known, this was the first habitation of civilized man on that side of the river. Local tradition has it that the house was built where the Mills Building now stands, and that it was surrounded by flourishing gardens, orchards, and vineyards. The lack of reference to the De Leon Rancho on the part of early travellers through the El Paso Valley seems to indicate that the establishment was not large enough to be conspicuous.[16]

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[16] Opinion of the U. S. Attorney, Rud Kleburg, on title to lots 25, 26, 27, and 31, block 5, El Paso; undated copy in the possession of Miss Edith Giddings.
City and County of El Paso, 1886, p. 15.
El Paso Times, Midsummer Trade Edition, Aug. 1887.

According to tradition, De Leon received the grant, 140 acres, for services rendered to the Mexican government; on it he raised large fields of corn and wheat and cultivated extensive vineyards, and built the first acequia in this part of Texas. It is also said that he was very wealthy, enterprising, and influential, and had a monopoly of transportation with his wagon trains. Tradition adds that he commanded the Mexican forces which opposed Doniphan at the battle of Brazito in 1846. He died at Mesilla, New Mexico, in 1851. His land grant was confirmed by the Texas legislature by an act of Feb. 11, 1858. His heirs disposed of the tract to one Franklin Coons, who, however, soon left the country wihtout having paid any of the purchase money. Later the land was sold to W. F. Smith for $5,000, and again in 1857 to Henry S. and John S. Gilett, Vincent St. Vrain, Josiah F. Crosby, and W. J. Morton for $6,500. The earliest reference found in the De Leon Ranch by a contemporary author is dated Dec. 27, 1846, in Extracts from the Diary of George R. Gibson, 1846-1847 with Doniphan's Expedition in the collection of the Missouri Historical Society. Much of the account of De Leon's early position at Paso del Norte, of his ranch on the left bank of the river, and of his activities in the Mexican War is stated in a manuscript article on El Paso, dated March, 1905, in the University of Texas Library. It seems to be derived from the same sources as the article in the El Paso Times cited above. The name of the Mexican officer who commanded at Brazito is given in a report to Lt.-Col. Luis Vidal, Dec. 26, 1846, certified copy dated Chihuahua, Jan. 17, 1847, as Antonio Ponce de Leon.--Griggs, History of Mesilla Valley, pp. 27-29.

A second and more potent impetus to Anglo-American settlement in the El Paso district resulted from the war which broke out between the United States and Mexico in 1846. The quarrel which culminated in armed hostilities developed elsewhere and had no connection with this section. However the Mesilla Valley was the scene of a minor engagement, the invading army acquainted a number of Americans with a region to which they subsequently returned, and as a result of the war two thirds of the area of which Paso del Norte was the center passed under the authority of the United States.

Hostilities commenced when a small party of American

troops were attacked and defeated by the Mexicans on April 25. May 11 President Polk sent his war message to Congress. May 13 the war bill was signed and a proclamation of war was issued. On the same day the governor of Missouri was instructed to raise eight companies of mounted troops and two of light artillery, to be commanded by Colonel Stephen W. Kearney of the First Dragoons, for an invasion of Mexico. The purpose of the expedition was the occupation of Santa Fé; for the sake of the traders primarily, although there was some idea that the acquisition of the territory might follow. On August 18, General Kearney entered Santa Fé, without any opposition,[17] and four days later issued a proclamation

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[17] In the early summer of 1845 James Wiley Magoffin was introduced to President Polk by Senator Benton. The President was favorably impressed and, through Secretary of War Marcy, recommended him to Kearney as capable, because of his knowledge of New Mexico and her people, of rendering important services. Marcy specifically mentioned Magoffin's ability to secure supplies for the army, but his letter is sufficiently general to include assistance of other sorts. Magoffin preceded Kearney to Santa Fé, had an interview with General Armijo, in which he strengthened that worthy's aversion to fighting and prevailed upon the lieutenant governor, Diego Archuleta, to substitute the annexation of western New Mexico for armed resistance to the American army. Shortly after this interview Kearney entered Santa Fé "without firing a shot or spilling a drop of blood." Somewhat later, Magoffin left for Chihuahua, where he expected to do for General Wool what he had done for Kearney at Santa Fé. On the way south at Paso del Norte, he was arrested, and was held captive for the remainder of the war. Subsequently Congress appropriated $30,000 to reimburse him for his expenses and losses.--Marcy to Kearney, June 18, 1846, in Magoffin, Down the Santa Fe Trail and into Mexico, pp. 263-264; Cooke to Magoffin, Feb. 21, 1849, in Ibid., pp. 264-265; Ibid., Preface, pp. xv-xvii and p. 169; John T. Hughes, "Reprint" in W. E. Connelley, Doniphan's Expedition and the Conquest of New Mexico and California, p. 365.

establishing the authority of the United States over all the territory of New Mexico, on both sides of the Rio Grande.

The El Paso district passed under the nominal control of the United States on August 22, 1846, when Kearney issued a proclamation declaring his intention of holding "the department (of New Mexico) with its original boundaries (on both sides of the Del Norte), as a part of the United States, and under the name of the territory of New Mexico." Actually, United States authority was not established for some time. After making some arrangements for the occupation of New Mexico, General Kearney left Santa Fé for California, September 25, 1846. Shortly before that he had issued orders that the First Regiment of Missouri Mounted Volunteers, under the command of Colonel Alexander W. Doniphan, should march to Chihuahua to join General Wool, who was leading an American army from San Antonio to that place. About two weeks later Doniphan was ordered to pacify certain Indian tribes in northern New Mexico before undertaking his march to the south. Consequently, it was not until early in December that his force was concentrated at Valverde at the northern end of the Jornada del Muerto, and ready to take up the march to Chihuahua. Valverde was the rendezvous because the merchants who had entered Santa Fé under Kearney's escort were gathered there and were begging military protection for the remainder of their journey.[18]

[18] W. C. Binkley, The Expansionist Movement in Texas, 1836-1850, p. 143.
Justin Smith, The War with Mexico, I, 297-298.

For greater convenience in crossing the Jornada del Muerto, Doniphan sent his forces forward in three detachments, which set out at intervals of two or three days, beginning December 14. His whole force consisted of 856 effectives, armed with rifles. He had no artillery. Near Doña Ana, on December 22, he overtook his advance guard, and the troops were consolidated. At Doña Ana supplies for the men and animals were plentiful; the men "feasted and reposed" and soon forgot the suffering of the march through the Journey of Death.[19]

[19] Hughes, "Reprint" in Connelley, Doniphan's Expedition, pp. 363-369.
A. W. Doniphan, "Official Report" in Ibid., p. 377.

Before leaving Valverde, as he had received some information of a force sent to Paso del Norte to prevent its capture, Doniphan sent to Santa Fé for reinforcements and a battery of artillery. At Doña Ana he received certain word that seven hundred men and six cannons had reached Paso del Norte. This information indicated a more threatening situation than actually existed. Interest in the Santa Fé trade and contact with American merchants and the men attached to the wagon trains had weakened the loyalty of that section to

the Mexican government. An order of September 18, 1846, requiring the withdrawal of all armed men and provisions in case of invasion and the prosecution of guerilla warfare, was never obeyed. In October an expedition sent to Doña Ana to forestall American invasion was made ineffective by the insubordination of the men, who acted with the connivance of their commanding officer. Even as late as November no preparations were being made to check the American advance and there was little or no evidence of hostility toward the United States. By the time Doniphan started on his march from Doña Ana to Paso del Norte there were probably about 450 regular troops and 700 militia, with four guns, concentrated there. This force was under the command of Colonel Cuylti, who was stricken with brain fever and had to go to Chihuahua after he heard of Doniphan's approach. Then Lieutenant-Colonel Luis Vidal succeeded to the command; he proclaimed martial law, pitched his camp a few miles outside the town, and sent Brevet Lieutenant Colonel Antonio Ponce de Leon to meet Doniphan.[20]

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[20] Geo. F. Ruxton, Wild Life in the Rocky Mountains, p. 22, ff.
Smith, War with Mexico, pp. 300-301.

Meanwhile Doniphan's force had left Doña Ana on December 23, and that night camped on the point of some hills which commanded the Chihuahua road. There some Mexican spies were hailed by a sentinel and two were killed. The march was

continued on the next day and the early part of the twenty fifth. Christmas Day was bright and clear, the men were in high spirits; they sang Yankee Doodle and Hail Columbia and shot off many guns in honor of the day. Some were heard to express the wish that if they had to meet the enemy it would be that day. Near the middle of the day the march was halted at Temascalitos, on the eastern bank of the Rio Grande, in a bend known as the Brazito.[21]

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[21] Hughes, "Reprint", in Connelley, Doniphan's Expedition, pp. 369-370.
Hughes, "Diary", Ibid., p. 87.
Connelley, Doniphan's Expedition, p. 589, quotes Doniphan to the effect that Brazito was 35 miles north of El Paso. The figures of the mileage for the three day's march from Doña Ana as well as the topography shown in the "Plan of the Battle of Brazito", p. 376, indicate that the distance was about 25 miles, and that the camp was placed and the battle fought east of the gap between Organ and Franklin Mountains, near the village of Mesquite.

When the little army halted, the rear guard and the wagon trains were still straggling along the road for miles. The horses were stripped and picketed; the men scattered in search of wood and water, some wandering at least a mile from camp. Doniphan, with a little group of officers, was playing a game of cards to settle the future ownership of a fine Mexican horse which the advance guard had captured that day. In the midst of this scene of military unpreparedness a huge cloud of dust was discovered in the direction of El Paso: a few minutes later the advance guard came running to the commander to announce the approach of the enemy. Doniphan dropped his cards,

the bugler sounded assembly, men came running from all directions, some with their loads of wood on their shoulders until they were commanded to drop them and bring their horses into camp. Cartridges were distributed, guns were loaded, and men fell into line under the most convenient flag.

By this time the Mexican army was drawn up in battle formation about a mile away. A line two miles long faced Doniphan's front and his right and left wings. The Mexican forces were commanded by Lieutenant-Colonel Ponce de Leon. His troops numbered five hundred or more, regulars, and militia, and part of a troop of cavalry. A howitzer, manned by twelve gunners, surrounded by seventy five infantrymen, formed the center; the right wing was composed of the regular soldiers, with part of the cavalry; the remainder of the cavalry and the national guard constituted the left. The Mexicans were dressed in blue pantaloons and green coats trimmed with red, with tall, brass-plated scarlet caps topped with plumes of horse hair or buffalo tails; bright lances and swords reflected the brilliant rays of the sun. The Mexican forces presented "a most gallant and imposing appearance." Unfortunately the spirit and enthusiasm of the troops did not correspond to their martial aspect.

The American forces were in marked contrast. They were unshaven and dirty, they had no uniforms, and each man wore his ragged clothes as best suited himself. Doniphan formed his forces in open order, on foot as skirmishers, with the ends of the lines extending to the river to protect the flanks

and the baggage wagons.

While the two forces were thus facing each other, De Leon sent a messenger, a lieutenant, with a black flag, who after a dramatic display of horsemanship, demanded the immediate surrender of Doniphan, with the threat of annihilation if the demand were refused. The reply was prompt and more vigorous than polite. "Go to hell and bring on his forces." Another account has it that Doniphan said, "Charge and be d----d."[22]

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[22] The interpreter through whom the above parley was held was Colbert Coldwell, commonly called Tob. He was born in Shelbyville, Tenn. When he was still young, his father died and left his property to Tob's sister. Being of an adventurous nature, the boy went west and was trading between Santa Fé and Chihuahua in 1846. Doniphan met him at Santa Fé and he went to Paso del Norte with the Missouri regiment as guide and interpreter. From Paso del Norte he returned to Santa Fé to get the artillery, making the trip on horseback in three days. Several of his grandchildren are now living in El Paso and this information comes from one of them, Judge Ballard Coldwell, who says that the statement concerning the reason for his return to Santa Fé in Magoffin, Down the Santa Fé Trail, p. 187, is incorrect.

As soon as the bearer of the black flag reached his own lines, the Mexicans opened fire at a distance of about four hundred yards. As they advanced they poured volley after volley on the Americans, who had been ordered to reserve their fire until the Mexicans had come within range. The high lights of the engagement were the ineffective firing of the Mexicans over the heads of the Americans, the effective volleys of the Missourians which immediately threw the enemy into confusion, the capture of the Mexican cannon, and the speed with which the gayly

caparisoned soldiers retreated. Eighteen or twenty well mounted men started in pursuit, but though they followed to the mountains, they could not catch their gallant enemy, who never stopped running till they reached Chihuahua. The fighting was over in twenty or thirty minutes. The Mexican losses are difficult to estimate; American reports place the number at from thirty to forty killed, 150 wounded, and five to twenty one prisoners. De Leon reported eleven killed and seventeen wounded, among whom was de Leon himself. A considerable quantity of ammunition, arms of various kinds, blankets and provisions, including many gourds of wine, were taken. The American loss was seven wounded, all of whom recovered.[23]

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[23] This account of the "Battle of the Brazito" is taken from "Richardson's Account" in Connelley, Doniphan's Expedition, p. 375, note, which appears to be an extract from The Journal of William H. Richardson; Doniphan's official report, dated Chihuahua, March 4, 1847, quoted in Connelley, Doniphan's Expedition, pp. 377-378, note; Hughes, "Reprint," Ibid., pp. 370-380; Hughes, "Diary," Ibid., pp. 87-88; Gilson's account, Ibid.,pp. 373-374; Ruxton, Wild Life in the Rocky Mountains, p. 39; "Report of Antonio Ponce de Leon to Lt.-Col. Luis Vidal, Dec. 26, 1846" is quoted in Geo. Griggs, History of Mesilla Valley, pp. 27-29. There are many discrepancies in these various accounts concerning the details of the engagement.

After this musical comedy battle the mexican volunteers promptly scattered to their homes; the regular soldiers continued their retreat to Chihuahua, stopping at Paso del Norte barely long enough to secure food and drink. De Leon asked for an investigation of his conduct in the "unfortunate action of the twenty second"; he was arrested for cowardice and taken to Chi-

huahua. The way was now open for the Americans to march to that city; not until they reached its outskirts did they meet with any more opposition.[24]

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[24] Connelley, Doniphan's Expedition, pp. 371, note; 378-380.
De Leon, "Official Report" in Griggs, History of Mesilla Valley, p. 29.

Christmas night the Americans camped on the battle field, and had a frolic, for which "the gourds of the delicious wine of El Paso" undoubtedly furnished the refreshments. After a sound night's sleep they buried the dead; the wounded Mexican prisoners were provided with conveyances to Paso del Norte; and the American wounded were given attention. In a strongly guarded line, as another attack was expected, the army marched south for about fifteen miles and made camp at a little salt lake, near what is now Canutillo. From this place, Doniphan sent an express to the artillery, urging a speedy advance, for he was expecting stiff resistance at Paso del Norte. Twice during the night great excitement was caused by false alarms; the first occurred while the men were cooking their suppers, when some refugees from the battle were fired upon as they were making their way along the foot of the mountains. Next day the American advance was resumed. At the entrance to the pass, Doniphan was met by a delegation of townspeople, bearing a white flag. They proposed peace terms and offered to surrender, at the same time begging protection for their lives and property. That night the troops moved into

the town, without meeting any opposition, and camped in an open space south of the plaza.[25]

[25] Hughes, "Reprint" in Connelley, Doniphan's Expedition, pp. 378-382. Hughes, "Diary" in Ibid., pp. 87-88.

Doniphan's occupation of the El Paso district lasted from December 27, 1846, until February 8, 1847. This interruption of the advance to Chihuahua was made necessary by the tardy arrival of the artillery. Doniphan had been ordered into Mexico to reinforce Wool at Chihuahua. After his arrival at Paso del Norte, he learned that Wool had not advanced upon that capital and so he felt obliged to wait for reinforcements before proceeding farther.[26]

[26] Doniphan, "Official Report," in Ibid., p. 378, note.

The Americans entered Paso del Norte on Sunday. Monday many of the Mexicans left, their fears having been aroused by Governor Trias's denunciation of the members of the expeditionary force as infidels, heretics and barbarians. Doniphan adopted a policy designed to allay their fears. To the commissioners who came to arrange the terms of capitulation he promised protection of the lives and property of those who remained neutral. He urged the prosecution of their daily labor on the part of the citizens and advised the establishment of a market

where his men might buy what they needed, though at the same time he forbade the sale of spirituous liquors to the soldiers. He promised that the quartermaster would buy provisions and forage, and that there would be no destruction of property in the valley. His promises were kept. The stores of arms and amunition in Paso del Norte were seized, but the American soldiers paid for what they took and the quartermaster redeemed the government's checks. This policy was appreciated by the Mexicans, whose horses and mules had been taken by their own troops in their precipitate retreat. The kind treatment by the Americans of their late opponents, even of those who had fought against them, was reciprocated. By the end of the week the inhabitants had begun to recover from their fright and thereafter relations between the two peoples were more than friendly. A few days before he left, Doniphan sent a lieutenant and some mechanics to repair the flour mill at the falls. Trade thrived. An effort was made to maintain discipline and outrages on the people were promptly punished.

If the American occupation imposed few hardships on the Mexican population, it was even more pleasant for the Missourians, who had spent most of the preceeding three months on the arid plains between Santa Fé and the Pass of the North. Fruit was plentiful; the soldiers found fresh pears, quinces, and apples grown in the valley and oranges, from who knows where; there were dried pears, apples, peaches and "grapes which far excel the raisins in deliciousness of flavor." The soldiers feasted on

these and on the various sweetmeats, and washed down these luxuries with drafts of mescal, pulque, beer, and perhaps wine. Such time as they were not on duty the men visited the Mexican girls, danced at the fandangoes, or gambled in the streets. This last amusement grew to such proportions that the streets were blocked by the Americans and Mexicans playing monte and Doniphan had to prohibit gambling in the open. There were even less innocuous amusements, resulting in several deaths and a drunken brawl in which one of the American officers was stabbed.

Finally, on the first of February, the long-expected reinforcements arrived, 117 men and six cannons. That same day the first commissary wagons were started for Chihuahua. By the end of the week the last baggage train arrived from the north and on February 8 Doniphan's whole force marched away from Paso del Norte. The first fifty miles of the route followed the valley of the Rio Grande, then a turn to the south was made and one of the most picturesque and hazardous military expeditions in the history of the world passed out of the El Paso district.[27]

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[27] The above account is based on Hughes, "Diary," in Ibid., pp. 88-97, and "Reprint," in Ibid., pp. 382-397.

One other incident connected with the Doniphan Expedition remains to be noted. The evidence indicates that the rendezvous at Valverde had been selected in deference to the wishes of a group of Santa Fé merchants, who wanted military protection to

Chihuahua, and that they were in the rear of the army as it marched south from that place. December 24 Doniphan sent a request to them for a force of 100 to 150 men to strengthen his regiment before the capture of Paso del Norte should be attempted. There is no evidence of the request having been complied with. Two days later another request for aid was sent to the traders. In Paso del Norte or during the march through the El Paso Valley, the Traders Battalion was organized. It was composed of two companies whose captains were Henry Skillman and Edward J. Glasgow. The battalion played an important part in the battle of Sacramento.[28]

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[28] Hughes, "Diary," in Connelley, Doniphan's Expedition, pp. 87-88.

Glasgow to Connelley, August 13, 1906, in Ibid., p. 398.

Glasgow was associated in business with James Wiley Magoffin. General W. J. Glasgow, U. S. A., now residing in El Paso, is a descendant; his wife is a granddaughter of Magoffin.--Interview with Mrs. W. J. Glasgow. Henry Skillman was a Kentuckian. After the Mexican War he remained in the El Paso district, where he fought the Indians, carried mail for the United States Government, and acted as guide and scout for troops and wagon trains. He was the Kit Carson of the region and very popular.--Mills, Forty Years, pp. 82-83.

In 1847 Brigadier-General Sterling Price marched into the State of Chihuahua, where the last battle of the war was fought at Santa Cruz de Rosalia. His route took him through the El Paso district; he crossed into Mexico at Paso del Norte.[29]

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[29] City and County of El Paso, 1886, p. 15.
Twitchell, Leading Facts, II, 263.

It is difficult, if not impossible, to estimate with any degree of exactness, the extent to which the Mexican War promoted Anglo-American settlement in the region of El Paso. A few of the men connected with the Doniphan expedition came back in after years, but of these several had received their first knowledge of the region as Santa Fé traders. Perhaps the Treaty of Guadalupe Hidalgo, under the terms of which all the territory north of the Rio Grande and the boundary between New Mexico and the State of Chihuahua became United States territory, was a more important factor. Roads to connect the El Paso and the Mesilla Valleys with the settled regions of Texas were not laid out until after the establishment of American control, nor adequate means taken to protect immigrants or inhabitants from the depredations of the Indians.

The Mexican War had scarcely begun when another movement started which was to further the Anglo-American settlement of the El Paso district. This was the overland migration to California. Some time during the summer of 1846 four Americans bound for Upper California arrived at Paso del Norte under the guidance of a Scotch trapper. Some disagreement concerning the guide's wages having arisen, he denounced them to the Mexican authorities as spies, whereupon they were thrown in jail. Subsequently the perfidy of the Scotchman was discovered, the Americans were released, and the guide imprisoned. However, as they had no passports, they were held as prisoners at large. It seems that they were incarcerated again when the American forces approach-

ed, for Doniphan found three of them imprisoned when he entered Paso del Norte. Their release was one of his first acts.[30] Whether they ever reached California is unknown.

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[30] Ruxton, Wild Life in the Rocky Mountains, p. 27 ff. Hughes, "Reprint" in Connelley, Doniphan's Expedition, pp. 380-384.

Overland travel to California began early in 1849. Many gold seekers from the north and east, influenced by those who were pointing out the advantages of routes through Texas and Mexico, came to the Gulf coast towns to get an early start. Of these some followed the roads which were being opened through Texas. Three roads through Texas to the valley of the Rio Grande were opened during the spring and early summer. One began at Fort Smith, Arkansas, crossed northern Texas, and reached the Rio Grande at the Pass of the North. Another, known as the Emigrant or Upper Road, led from San Antonio or Austin through Fredericksburg to the Pecos River and the Rio Grande over the route followed by Major Robert Neighbors and John S.Ford on their return from San Elizario in May. The third was the Military or Lower Road from San Antonio or Corpus Christi, by way of Las Moras River. This route was surveyed by Lieutenant W. H. C. Whiting of the Engineers and Lieutenant W. F. Smith of the Topographical Engineers under orders of the War Department to find out if there was a practicable route for a military and commercial road between El Paso and the Gulf of Mexico passing through or near to San Antonio or Austin. The report of Smith

and Whiting was so favorable that the troops ordered to El Paso were sent over this route and it was made the military road to the Rio Grande Valley.[31]

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[31] R. P. Bieber, "The Southwestern Trails to California in 1849", reprint from Mississippi Valley Historical Review, XII, No. 3, pp. 245, 349, 353-356.

M. E. Martin, "California Emigrant Routes through Texas", in Southwestern Historical Quarterly, XXVIII, 288, 290, 293.

Through the El Paso district the Lower Road followed the Rio Grande. The course of the Upper or Emigrant Road was marked by Ford and Neighbors under the guidance of a man named Zambrano, from San Elizario. Leaving the river at El Paso, the road, as it was finally established, crossed the dry plains to Hueco Tanks, through a pass in the Hueco Mountains, then by way of Alamo Springs, Ojo del Cuerpo in the Howard Basin, the foot of Guadalupe Peak and east to the Pecos River. At El Paso the road to the west divided, one route going southwest through the Mexican towns of Corralitos and Janos, the other following the Rio Grande north to a point about thirty miles above Doña Ana and thence west along Cooke's wagon road, which joined the road through Chihuahua at Guadalupe Pass, in eastern Arizona.[32]

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[32] Ibid., pp. 354-355, 370.

J. S. Ford, Memoirs, III, 523, Ms. University of Texas Library.

F. T. Bryan, "Report of a Route from San Antonio via Fredricksburg" in Reports of the Secretary of War with Reconnaisances of Routes from San Antonio to El Paso, Sen. Ex. Doc. No. 64, 31 Cong., 1 Sess. Ser. No. 562, pp. 19-23.

One of the very early parties to make the overland journey through Texas, that led by Captain Mays of St. Louis in the spring of 1849, followed in general the upper route from Fredericksbrug to the Rio Grande, but instead of entering the El Paso Valley below the Pass of the North it reached the river twenty-five miles above it, having crossed the mountains through the gap between the Organ and Franklin ranges. This is one of the very few instances of the use of that pass by travellers. By early summer the Emigrant Road was well opened and many of the emigrants went through to the Rio Grande by that route. After a wagon road was built along the lower route and it was made comparatively safe by the establishment of military posts and the passage of government freight trains, this road became the favorite way for merchants and travellers; and the upper road fell into disuse for a number of years until it was revived by the Butterfield Stage Line.[33]

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[33] Martin, "California Emigrant Roads Through Texas," in Southwestern Historical Quarterly, XXVIII, 294-300.

In 1849 the California emigrants passed through El Paso between April and September. Their number is impossible to estimate. The evidence indicates that from the middle of March to the first of June the arrival of "Californians" was a matter of almost daily occurrence at San Antonio and Fredericksburg. Many, if not the majority, of those who gathered at these two

points went to El Paso. One account says there were several hundred men camped above Paso del Norte on July 4. Another report says that more than four thousand emigrants with twelve or fifteen hundred wagons were camped in the neighborhood at one time. Emigration did not cease with the end of the year; there is evidence that caravans came through at frequent intervals the following summer.[34]

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[34] Ibid., pp. 294-295.
New Orleans Delta, Aug. 20, 1849, quoted in Ibid., p. 301.
Cox, "Diary", in Southwestern Historical Quarterly, XXIX, 129-130 note.
Bieber, Southwestern Trails to California, p. 355.
"Extracts from the diary of an unknown soldier who died in a hospital in San Antonio", published in the San Antonio Express, no date, in Griggs, History of Mesilla Valley, p. 58.

In pointing out the advantages of the route through Texas, the Texas Democrat (Austin) in its issue of January 18, 1849, said, "The emigrants who rendez-vous at Austin would fit themselves out with every requisite for the journey to El Paso (sic) del Norte. From that delightful and prolific valley they would provision themselves again for the ballance of the journey. Experienced and competent guides can always be secured in this part of Texas. . .mules horses and all kinds of supplies can be secured here at moderate rates. . ." The El Paso district was able to furnish many emigrant supplies. The cultivated regions produced vegetables, corn and flour; beef cattle were to be had; and the Santa Fé traders could supply products not

raised in the valley as well as clothing, horse shoes, and other articles that travellers might need. El Paso was an important way station, where wise travellers recruited their animals and made preparations for the more difficult journey ahead. Naturally this sudden and great increase in demand caused prices to rise; the supply of provisions was inadequate to fill the needs of all and the inhabitants began "to be alarmed at the prospect of being eaten out."[35]

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[35] Martin, "California Emigrant Routes through Texas", in Southwestern Historical Quarterly, XXVIII, 291 note, 301 note. Cox, "Diary" in Southwestern Historical Quarterly, XXIX, 132. R. B. Marcy, "Report" in Reports of the Secretary of War, Sen. Ex. Doc. No. 64, 31 Cong., 1 Sess., Ser. No. 562, p. 225.

The gold seekers camped in the bottoms on the east side of the river, seeking the best grass they could find within a convenient distance of El Paso, where all had more or less business. Supplies of provisions were secured, repairs made to wagons and harness, and the live stock recruited. Some parties stayed as long as a month. Companies were broken up and reorganized. Wagons were sold by those who wanted to speed up their journey by going as pack trains. Recreation was sought among the Mexican ladies, who were "kind, warm-hearted, and generous even to a fault," or in the cantinas and wine shops. (There is no evidence to prove this statement nor that the California emigrants were different from other visitors to that region,

before and since.) The Mexican men were not as friendly as the women, but the fault seems to lie with the Americans who forced themselves on the inhabitants for maintenance and stole horses and mules from the Mexican troops stationed at Paso del Norte. Indian raids were a source of excitement and a number of emigrants abandoned their search for gold in favor of one for Apache scalps, then worth two hundred dollars each. It is said that the Fourth of July was celebrated "in a truly patriotic style," but one patriot bemoaned the indifference of "several hundred Americans. . . .assembled together on this great occassion without manifesting some special interest in the day."[36]

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[36] Cox, "Diary" in Southwestern Historical Quarterly, XXIX, 129-132.
Martin,"California Emigrant Routes through Texas," in Southwestern Historical Quarterly, XXVIII, 301.

The direct impetus which the transit of the Forty-niners gave to settlement in the El Paso region will be discussed in another connection. Here it suffices to note two other effects. The search for the most practicable route from the settled east to the Pacific coast resulted in the establishment of an east-west road which crossed the ancient north-south highway. The interest in the project for a trans-continental railroad focussed attention on the district, brought in a new set of explorers, and, in the Gadsden Purchase, added somewhat to its area. A generation later, the railroad was built and

modern El Paso came into being, at the cross roads of the old highways.

The acquisition of the Mexican Cession and the discovery of gold in California made the matter of a railroad from the Mississippi Valley to the Pacific Coast an important political question from 1849 to the outbreak of the Civil War. Each of the sections wanted that railroad to connect its own territory with the golden west; every important city on the Mississippi River hoped to be its eastern terminus. The interest of the Texans in the matter was great; and, naturally, the desire was for a route through their own state. Such a route necessarily crossed the Rio Grande at or near El Paso. Various expeditions were sent out, primarily to discover a practicable wagon road that would enable the fostering community to reap the harvest of the California migration; their investigations were really preliminary railroad surveys. There are grounds for belief that some of the surveyors understood the real purpose of their work. The Texas State Gazette advertised the advantages of a Texas route, especially that followed by Nord and Neighbors on their return from El Paso, which became known as the Emigrant or Upper Road. Emigrants, who followed it and its western extension through New Mexico, supported the contention that the road through Texas was the best and most direct. United States government officials took a similar position. In this discussion it was generally assumed that the Rio Grande would be crossed at the Pass of the North, or perhaps at San Elizario or Doña Ana.

The statements made by writers and travellers constituted advertising of a sort that is much esteemed by present day El Paso, and it is possible that it had the effect which good advertising is supposed to have.[37]

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[37] Texas State Gazette, (Austin), Sept. 8, 1849; Sept. 29, 1849; Oct. 6, 1849; Nov. 3, 1849.
Ford, Memoirs, III, 503 ff. Ms. University of Texas Library.
Bartlett, Personal Narrative, II, 570-571.
Letter of C. C. Cox, Nov. 25, 1849, in Southwestern Historical Quarterly, XXIX, 210.
R. B. Marcy, "Exploration of the Red River of Louisiana in the Year 1852", Sen. Ex. Doc. No. 54, 33 Cong. 1 Sess. Ser. No. 666, pp. 122-124.
W. W. Mills, Forty Years, pp. 28-29.

Throughout the first half of the nineteenth century when the interest of the English-speaking people in, and their influence over, the El Paso district was being extended, the Indians threatened the security of their lives and property. The region lay within the range of the Mescalero Apaches, who swooped down upon travellers crossing the plains and raided the settlements in the valleys. Those who followed the road between Santa Fé and Paso del Norte were apt to be attacked as they crossed the Jornada del Muerto, though the range of the Indians was not confined to that shelterless plain. The formation at the Hueco Tanks, with its caves and practically certain water made that place a favorite refuge.[38]

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[38] John Pope, "Report of Exploration of a Route for the Pacific Railroad near the thirty second parallel of north latitude from Red River to the Rio Grande" in Reports of Explorations

and Surveys for a Railroad from the Mississippi River to the Pacific Ocean, Sen. Ex. Doc. No. 91, 33 Cong. 2 Sess. Ser. No. 759, p. 24.

W. H. H. Davis, El Gringo, p. 371.

J. H. Byrne, "Diary of the Expedition", in Reports of Explorations and Surveys, Sen. Ex. Doc. No. 91, 33 Cong. 2 Sess. Ser. No. 759, pp. 53-54.

Some interest attaches to the fact already mentioned that the first unknown American in this region is discovered in a troop of Spanish soldiers operating against the Indians. Like a scarlet thread, references to Apache depredations and the terror inspired by these Bedouins of the American desert run through the accounts of the early writers, beginning with that first account in English written by Pike. The live stock of the Mexican settlers was the chief objective of Apache desire and in the thirties and early forties the neighborhood of Paso del Norte was swept almost bare of horses, mules and cattle. In the mid-forties the Paseños organized themselves into a body of troops, but the presence of seven hundred armed men did not prevent the marauders from making bold attempts to seize animals at the very outskirts of the town. One of the reasons for the friendly feeling toward the members of Doniphan's expedition was the security to lives and property afforded by the presence of the American soldiers.[39] However, this presence did not prevent

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[39] There is an interesting story to the effect that a body of Apache warriors witnessed the battle at Brazito from the nearby mountains, and killed some of the Mexican soldiers as they were fleeing in that direction. Connelley, Doniphan's Expedition, pp. 378-379.

Indian raids on the muladas of traders so unwise as to separate themselves from the immediate protection of the soldiers. Even the commissary teamsters suffered the loss of their oxen. Depredations continued for many years. After the overland migration to California began, the emigrants suffered the loss of their animals.[40]

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[40] Manrique to Alencaster, Aug. 31, 1806, New Mexico Archives, Aug. 31, 1806-July 21, 1810. University of Texas Library photostats.

Pike, Exploratory Travels, pp. 337-341.

Falconer, Letters and Notes, pp. 62,97-98.

Ruxton, Wild Life in the Rocky Mountains, pp. 26-27.

Hughes, "Diary", in Connelley, Doniphan's Expedition, pp. 93-99.

Cox, "Diary", in Southwestern Historical Quarterly, XXIX, 131.

Because neither the regular troops of the Mexican army nor the local militia were effective in putting a stop to Apache depredations, the government of the State of Chihuahua undertook to exterminate the tribe by offering a bounty on scalps. A number of Americans engaged in the business, but gave it up when they failed to receive the promised payments. Other methods were tried for a few years, with little success, so scalp-hunting was resorted to again, with the bounty twice what had been originally offered. The prospect of $200 for scalps and $250 for prisoners again lured Americans into the business. Some of the scalp-hunters were recruited from the California emigrants at El Paso.[41]

41 Bancroft, North Mexican States and Texas, II, 598, 601, 614 and note.

Cox, "Diary", Southwestern Historical Quarterly, XXIX, 131.

One of the notorious American scalp-hunters was James Kirker, a Scotch frontiersman and trapper, who joined the Doniphan expedition a few days before the battle at Brazito and served as a guide, interpreter and scout, while the Americans were in that region. Connelley, Doniphan's Expedition, pp. 101-102.

A few matters connected with the development of the El Paso and Mesilla Valleys between the beginning and the middle of the eighteenth century remain to be noted. Mexican settlements began to spread beyond the narrow confines of the valley on the right bank of the Rio Grande below the Pass of the North. The available evidence indicates that the first settlement between Paso del Norte and Socorro about two hundred miles to the north was made in 1824 at Canutillo, about sixteen miles above Paso del Norte, by a little group of Mexicans who had secured a land grant from the Mexican government. They cultivated their fields for about eight years, when they were driven off by the Indians. The first permanent settlement in the Mesilla Valley was Doña Ana, made in 1842 by twelve or fifteen families from the El Paso Valley, who were tempted thither by the fertility of the soil. Doña Ana was situated about sixty miles above Paso del Norte, on a mesa overlooking the left bank of the river, in the heart of the Apache country. This town suffered from Apache depredations until United States troops were stationed

there after the Mexican War. The irrigated farms were in the river bottoms and produced corn, wheat, onions, beans and grapes. In 1849 it had about three hundred inhabitants. About fifty miles below Paso del Norte, on the right bank of the river, Guadalupe was established in 1850 as a military colony. Its population consisted mostly of people from New Mexico who had preferred Mexican rule to American citizenship.[42]

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[42] County Records, Deed Book C, pp. 315-318.
Pope, "Report", in Reports of Explorations and Surveys, Sen. Ex. Doc. No. 91, 33 Cong,, 2 Sess. Ser. No. 759, p. 6.
Ruxton, Wild Life in the Rocky Mountains, pp. 30-31.
R. B. Marcy, "Report" in Reconnaisances of Routes from San Antonio to El Paso, Sen. Ex. Doc. No. 64, 31 Cong. 1 Sess. Ser. No. 666, p. 197.
Cox, "Diary", in Southwestern Historical Quarterly, XXIX, 133.
Bartlett, Personal Narrative, II, 405.

CHAPTER III

THE BEGINNING OF AMERICAN SETTLEMENT

The cloud of obscurity which rests about the commencement of Anglo-American occupation of the El Paso district is only less dense than that which surrounds the figures of the first English-speaking visitors. The available evidence is conclusive that the first English-speaking settlements were made in the El Paso Valley across the Rio Grande from Paso del Norte and after the Mexican War; but the founding of the first colony and the exact date of its establishment are matters of some doubt.

The earliest American inhabitant of the Texas side of the valley was a woman who kept a hotel there in the spring of 1849 and whose identity has not been established. She is known only as the "Great Western" and was a true daughter of the Amazons. Six feet, one inch in height, well proportioned, and well built, she had done valiant service in a number of battles during the late war, and bore the reputation of being somewhat the roughest fighter on the Rio Grande. Awe-inspiring as she was, she treated travellers "with much kindness."

After the summer of 1849 she disappears from the records.[1]

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[1] Ford, Memoirs, III, 521. Ms. in the University of Texas Library.
Cox, "Diary", in Southwestern Historical Quarterly, XXIX, 132 and 219.

The earliest definite reference found by the writer to an English-speaking settlement was made by a California emigrant, who camped in the neighborhood from June 17 to July 12, 1849. His statement indicates that a number of people were living opposite Paso del Norte at that time, but he names only two, "The Great Western," and one Coons, who "also has a large store." This was the Franklin Coons who purchased the De Leon land grant. He was a Santa Fé trader and bought the ranch expecting that the establishment of a military post would lead to the population of the valley. The hamlet which grew up around Coons's Rancho was the first English-speaking settlement on the American side of the Rio Grande below the pass. The village and the mountains, at whose base it nestled, were named for him. United States troops were stationed there for a short while early in 1848.[2]

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[2] Cox, "Diary", in Ibid. p. 132 and note.
Bartlett, Personal Narrative, I, 192.
Anson Mills, My Story, p. 52.
Drum to Smythe, Aug. 30, 1887, in El Paso Times, Mid-Summer Trade Edition, Aug. 1887.
In 1850 Coons was freighting government stores from Indianola to El Paso and a few years later was driving sheep to California. Bartlett, Personal Narrative, I, 123; II, 293.

There is evidence that the overland migration to California brought settlers to the El Paso region, but the number who established themselves permanently could not have been great. There were only three houses on the American side of the river across from Paso del Norte by the end of 1849. Among those who came to stay were the Reverend W. N. Read, "the first (protestant) missionary in all this region," Simeon Hart, who built the mill at the falls of the Rio Grande, and Henry Smith Gillett, who became one of the subsequent owners of the De Leon grant and the original townsite of El Paso.[3]

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[3] Cox, "Diary", in Southwestern Historical Quarterly, XXIX, 132 and note.

S. G. French, "Report of Route from San Antonio to El Paso" in Report of the Secretary of War, Sen. Ex. Doc. No. 64, 31 Cong., 1 Sess. Ser. No. 562, p. 49.

El Paso Times, Midsummer Trade Edition, Aug. 1887.

Anon., An Illustrated History of New Mexico, p. 542.

Mr. Read was still living in El Paso in Aug. 1887; James Pruitt Hickman, a Missouri merchant, is said to have taken a stock of goods to Franklin, where he established a large store in the late forties; later he sold all his goods to Santa Fé and Chihuahua merchants; he moved from Franklin to Chihuahua, where he became a prominent merchant and banker; later he went to San Antonio where he died in 1893.--Magoffin, Down the Santa Fé Trail, pp. 58-59, note.

Others who came in 1849 are James Lucas, Thomas J. Bull, Charles A. Hoppin and T. F. White. The last two will be discussed in another connection. One W. M. Smith is named by the El Paso Times, Midsummer Trade Edition, as having come in 1836. It is probably that W. T. Smith, the "Patriarch of the Valley," is meant.

Franklin Coons was not the only trader who hoped to profit by the establishment of a military post near the Pass

of the North. In 1848 a certain T. F. White delivered a train of wagons and mules in Santa Fé and found himself without money or employment. Joab Houghton, chief justice of the superior court, at Santa Fé, himself a merchant, helped White get a small stock of goods. With this grub stake, White came to El Paso and, selecting a site at the "Upper Crossing" of the Rio Grande, built a store and a house and began to develop a farm in the river bottom. The Upper Crossing was a ford across the Rio Grande, about six miles above Paso del Norte at the upper end of the pass. White selected the spot because he believed it was the best possible location for the fort soon to be established, an opinion in which he was confirmed by some officers of the Engineer Corps. White had established himself before April 20, 1849. He called his place Frontera and the name persisted for many years; the ranch itself was abandoned in 1854, having been destroyed by the Apaches.[4]

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[4] White to Hamlyn, April 20, 1849, in R. P. Bieber, "Letters of James and Robert Aull", Reprint from Missouri Historical Society Collections, V, No. 3, 308-309.

Pope, "Report of Exploration of a Route for the Pacific Railroad" in Reports of Explorations and Surveys, House Ex. Doc. No. 91, 33 Cong., 2 Sess. Ser. No. 792, pp. 6, 32.

Between 1851 and 1853 Frontera was used by the United States Boundary Commission as an astronomical observatory; shortly after the departure of the Commission it was destroyed. White's expectations were not fulfilled for the military post was established below the pass.--Bartlett, Personal Narrative, I, 176, 194. Whether White or Coons settled first on the American side of the Rio Grande cannot be stated.

By the early winter of 1850 there were three settlements on the Rio Grande below the gorge, in addition to Simeon Hart's grist mill at the falls. Coons's Rancho had lost some of its importance of the preceding year and many of its buildings were vacant. About a mile and a half below Coons's Rancho was the principal village, Magoffinsville; about a mile farther east was a ranch belonging to Hugh Stephenson. When the United States Boundary Commission made Magoffinsville its headquarters in the winter of 1850 and 1851, John R. Bartlett, the head of the Commission at that time, prophesied that it would become the center of American settlement. Two years later, his prophesy seemed in fair way of fulfillment.[5]

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[5] Bartlett, Personal Narrative, I, 145, 167, 192-193; II, 383-384, note.

In 1853 Magoffinsville represented American El Paso. It was a group of large, well built, adobe buildings, erected around an open square. These buildings, some of the best in the country, were used as stores or warehouses and were filled with merchandise. The property was well situated on the bank of the river, the land around it was good, and it was watered by an acequia, which ran through the square. It was the property of James Wiley Magoffin who had settled there in the spring of 1850. Here he built a big house in the Spanish style where he lived in a grand manner and entertained all visitors of

note to the vicinity. He became one of the prominent merchants and great land owners of the district and was one of El Paso's foremost citizens until he left in 1862.[6]

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[6] Bartlett, Personal Narrative, I, 193; II, 384-385. Magoffin to his daughter, May 1, 1850. Letter in the possession of Mrs. W. G. Glasgow. Davis, El Gringo, pp. 376,383. James Wiley Magoffin was born in Harrodsburg, Ky., in 1799, of Irish parentage. About 1828 he began to trade in Santa Fé and Chihuahua. At the latter place he married Mary Gertrude Valdez; she was a "kind-hearted, affable, and exceedingly well informed woman," who had lived at San Antonio de Bexar before the Mexican revolution, and who demonstrated her good qualities by her generous treatment of the prisoners of the Texan Santa Fé Expedition during their imprisonment at Chihuahua. She died in 1845, leaving two sons, Joseph and Samuel, and four daughters. Magoffin was the first United States Consul in Chihuahua and Durango. In 1844 he moved with his family to Independence, Missouri. In 1846 he "smoothed the way" for Kearney's bloodless conquest of New Mexico. As he was on his way to Chihuahua, he was arrested at, or near, El Paso, and taken to his destination as a prisoner, where he was held until the approach of Doniphan caused his removal to Durango. He was released when the war ended. After the war, he went to Texas and settled opposite Paso del Norte on land just east of the De Leon tract.--Drum, (ed.), in Magoffin, Down the Santa Fé Trail, preface, pp. xviii-xx; Kendall, Texas to Santa Fé, II, 85; R. E. Twitchell, The Military Occupation of New Mexico, pp. 377-399.

Concerning the establishment of "Hart's Mill" and Stephenson's Rancho even less is known than about the building of Magoffinsville. About Stephenson's ranch all that the evidence shows is that in November, 1850, a mile east of Magoffinsville was "a large rancho belonging to Mr. Stevenson, around which is a cluster of smaller dwellings." In a few years the Stephenson ranch became known as Concordia or Concordia Ranch.[7]

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7 Bartlett, Personal Narrative, I, 193.
Hugh Stephenson, the owner, was born in Kentucky, July 18, 1798. In early life he went to Missouri and later to Mexico, where he married Juana Ascarate, the daughter of Juan Ascarate of Paso del Norte. During his early days in the Southwest he was a trapper, later he became a merchant and mine owner. He is said to have come to El Paso in 1838; he died at Concordia, October 11, 1870. Cf. Anon., An Illustrated History of New Mexico, p. 369; Mills, Forty Years at El Paso, p. 19.

Hart's Mill, instead of the more euphonious El Molino, is the name applied to the grist mill and residence which Simeon Hart built at the falls of the Rio Grande, a short distance above Coons's Ranch. The mill was built before Bartlett's arrival in November, 1850, and was a "fine establishment," supplying all the United States troops at El Paso with flour. When the house was built is not known. The house, like all the others in that region, was built in the Mexican fashion, of adobe, and was large and convenient. In March, 1854, Hart's property was laid out in town lots, but it remained a separate settlement until after the coming of the railroads.[8]

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8 Bartlett, Personal Narrative, I, 191.
Davis, El Gringo, p. 376.
Pope, "Report of Exploration of a Route for the Pacific Railroad" in Reports of Explorations and Surveys, Sen. Ex. Doc. No. 91, 33 Cong., 2 Sess., Ser. No. 759, p. 32.
Simeon Hart was born at Highland, Uster County, New York, March 28, 1816. In early life, he went to St. Louis, Missouri, where he was living at the outbreak of the Mexican War. He volunteered in 1847, and was soon made adjutant of the Missouri Horse, commanded by Col. John Ralls, a part of the command of Brigadier-General Sterling Price. He was commended for his bravery and skill at the battle of Santa Cruz de Rosalia. He married at Santa Cruz de Rosalia a woman of intelligence and refinement,

the daughter of a distinguished and wealthy Mexican. Hart was literary in his tastes and had a well selected library at El Molino, which "was the headquarters of the stranger and the resort of the best citizens of the place." He died at El Molino, January 19, 1874. The articles in the Midsummer Trade Edition, of the El Paso Times, which is the source of most of the information concerning the life of Simeon Hart, contain conflicting statements; e. g. the year of his coming to El Paso is given as both 1849 and 1850. At the time this edition was published, Simeon's son, Juan S. Hart, was part owner and editor. The Hart residence has been remodelled, but the old mill stands on the river bank as it did eighty years ago.--El Paso Times, Midsummer Trade Edition, August, 1887; Judge Llew Davis, interview.

The four little settlements nestled at the base of Mount Franklin did not contain all the population in the American part of the El Paso Valley in the early fifties. One of the Rio Grande's sudden shifts of channel, which occurred between the signing of the Treaty of Guadalupe Hidalgo and the final establishment of the boundary line, created the district known as "The Island" and brought the villages of Ysleta, Socorro and San Elizario into the United States and Texas. Ysleta had only a few hundred inhabitants, the descendants of the original Pueblo colonists, and Mexican vecinos. In 1850 San Elizario was the largest of the three; among its people were a number of good Spanish families and a few Americans. The population of the villages of the lower valley was between one thousand and fifteen hundred persons, mostly Spanish-speaking. Americans, however, were coming in, attracted by the fertility of its rich bottom land.[9]

[9] Phillips, Ysleta, Ms. in possession of the writer.
Bartlett, Personal Narrative, I, 193.
Hoppin to Bell, January 3, 1850. P. H. Bell Papers, Texas State Library.

However it was from the newly established settlements that the future metropolis of the region was to develop. After the troops were withdrawn from Coons's Ranch, Magoffinsville was the center of population for several years. Franklin Coons applied for the office of postmaster. Being instructed to name the office, he called it after himself and, as Franklin, the village which grew up around Coons's Ranch on the De Leon tract became, in the late eighteen fifties, the largest and most populous of the American settlements. In time Franklin expanded until it included Hart's Mill on the west and Magoffinsville and Hugh Stephenson's ranch on the east. During the fifties the name of the old Mexican town across the river was adopted, and both Franklin and the whole group of settlements were known as El Paso.[10]

[10] Bartlett, Personal Narrative, I, 193; II, 383-384.
Davis, El Gringo, pp. 374-384, passim.
Anson Mills, My Story, pp. 50-54, and cut on pp. 56-57.
Mills, Forty Years at El Paso, p 13 ff.
El Paso Times, Midsummer Trade Edition, August 1887.
The name "El Paso" was used by C. C. Cox, June 17, 1849, but whether with reference to the pass, the settlement, or the locality is not certain. "El Paso" appears on an order of the War Department, dated December 15, 1849. Both Bartlett and Davis used El Paso to designate the locality. "Paso del Norte, Texas" occurs in a bill of sale, dated March 28, 1850.

Anson Mills claims the credit for having renamed the village of Franklin, El Paso after his arrival in 1858. For twenty years the two names were used interchangeably, although the city was incorporated as El Paso in 1873. As late as 1886 "Magoffinsville" was regarded as a suburb of El Paso.

This history of El Paso has always been closely intertwined with that of the military establishments in its midst. Enough has been said to show that the expectation of a permement army post was one of the influences which promoted early settlement. The treaty by which the El Paso district became the territory of the United States had barely been concluded when three companies of the First Dragoons, under the command of Major Benjamin Beall, were stationed at Coons's Ranch, on February 11, 1848. They were withdrawn after a few months and for about a year and a half there were no troops in that immediate vicinity. August 31, 1848, four companies of the Third Infantry were ordered stationed at Paso del Norte". Brevet Major Jefferson Van Horn with Companies A, B, C, and E established the post the next fall. The evidence indicates that these troops were stationed at Magoffinsville.[11]

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[11] Drum to Smythe, August 30, 1887, in El Paso Times, Midsummer Trade Edition, August, 1887. This is a "memoranda" which appears to have been written by Adjutant General R. C. Drum especially for this edition of the Times.
Bartlett, Personal Narrative, I, 136, 154, 157, 193; II, 383.

The same order which provided troops for El Paso authorized the local commanders, under instructions from the War Department or the commander of the Western Division, to use their own judgment in the establishment of posts and the arrangement of troops in Texas and New Mexico. This provision seems to be the basis for the posts which were established at Doña Ana, and at San Elizario. These posts were occupied continuously until about the first of September, 1851, when all three were abandoned.[12]

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[12] Drum to Smythe, August 30, 1887, in El Paso Times, Midsummer Trade Edition, August, 1887.
General Orders, No. 49, War Department, Adjutant General's Office, August 31, 1848.
Orders No. 27, Headquarters 9th Military Department, August 17, 1851. Copies of the above orders secured from the United States War Department are in the possession of the writer.

United States troops returned to El Paso Valley January 11, 1854, when Brevet Lieutenant Colonel E. B. Alexander with four companies of the Eighth Infantry established a post at Magoffinsville in buildings rented from its proprietor. There is evidence that Magoffin had additional rooms constructed for the use of the army in the spring of 1855. The post remained there until 1868 when it was removed to Concordia. It was known as the "Post of El Paso" until March 8, 1854, when its nameswas changed to Fort Bliss in honor of Major William Wallace Smith Bliss, the Assistant Adjutant General of the United States Army,

who had died the preceeding August.

13

Drum to Smythe, August 30, 1887, in the El Paso Times, Midsummer Trade Edition, August 1887.

Article concerning James Wiley Magoffin in Ibid.

General Orders No. 4, Adjutant General's Office, March 8, 1854, copy in possession of the writer.

Pope, "Report of Exploration of a Route for the Pacific Railroad" in Reports of Explorations and Surveys, House Ex. Doc. No. 91, 33 Cong., 2 Sess. Ser. No. 359, p. 332.

Crosby to Magoffin, April 15, 1855, letter in the possession of Mrs. W. J. Glasgow.

Major William Wallace Smith Bliss was a native of New York and received his appointment to West Point from that State. He served with distinction in the Mexican War. He married Elizabeth, the daughter of Zachary Taylor. He was Assistant Adjutant General from 1846 till his death, August 5, 1853. His cadet nickname was Perfect Bliss. This information was furnished by Colonel Martin L. Crimmins, U. S. A. Ret., whose main source was T. H. S. Hamersley, Army Register of the United States for One Hundred Years, from 1779 to 1879, Washington, D. C., 1880.

Fort Bliss was occupied continuously by a small garrison from 1854 until the outbreak of the Civil War. All during this period the troops occupied quarters rented from James Wiley Magoffin. The post was built close to the Rio Grande, whose muddy waters were constantly nibbling the banks and threatening the security of the nearby quarters. The buildings enclosed the parade grounds on three sides; they were low, single story, adobe structures with thatched roofs and dirt floors. The officers' quarters on the east side of the square were separated from the parade ground by a road. Barracks and store houses were on the north and west, the river flowed along the open side to the south. The parade ground was covered with a

luxuriant growth of alfalfa and shaded by some large cottonwood trees; there was a flag staff in the center. Primitive as the establishment was, the accomodations were better than those at most frontier posts. The pleasant people who lived near-by and the advantages of the market at Franklin, where "delicious fresh fruits" and "everything imaginable" were sold, compensated for the want of other luxuries and made the first Fort Bliss a "most delightful station" and one of the most desirable posts in the Southwest.[14]

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[14] Lydia Spencer Lane, I Married a Soldier, pp. 40, 67-73, passim.

Drum to Smythe, August 30, 1887, in El Paso Times, Midsummer Trade Edition, August, 1887.

Article concerning James Wiley Magoffin, Ibid.

Mills, Forty Years at El Paso, p. 16.

Davis, El Gringo, "Fort Bliss, Texas", p. 377. This is a contemporary drawing and may be one of those made by F. A. Percy, of El Paso, for the book. Frederick Augustus Percy was an Englishman, who first appears in the history of the El Paso region, November 9, 1850, somewhere near the Guadalupe Salt Lakes, in charge of a wagon train belonging to Franklin Coons. November 10, 1856, he declared his intention of becoming a United States citizne.--Davis, El Gringo, preface; Bartlett, Personal Narrative, I, 126; Deed Record A, pp. 581-582.

When the troops were withdrawn from San Elizario, El Paso, and Doña Ana in the fall of 1851, a new post was established midway between the two last named places. Fort Fillmore, as it was named, was on the east side of the Rio Grande about forty miles above El Paso and fifteen from Doña Ana in a position which was considered better than either of those above or below and sufficient for that

section of the frontier. For two years or more the troops were housed in jacals, that is, in huts of upright sticks plastered with mud, with thatched roofs. In another year or so, these rude barracks were replaced by an adobe fort, built on the same plan as Fort Bliss, with buildings on three sides of a hollow square facing the river. But the parade ground was bare and dusty, bats came to inhabit the adobe walls; the Rio Grande, which was not always easily forded, separated the post from the largest near-by settlement, and to a woman it was a dreary and uninviting place though a man might find it comfortable enough. For a time after its establishment, vegetables for the troops were raised on a farm attached to the post, but that practice was soon discontinued. There was, however, a well chosen library, and a band which "discoursed sweet music" at intervals on Sunday, which was the day when the troops were paraded for inspection. Fort Fillmore was occupied continuously until after the Confederate occupation of the Mesilla Valley during the Civil War.[15]

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[15] Orders No. 27, Headquarters 9th Military District, August 17, 1851, copy in possession of the writer.
Bartlett, Personal Narrative, II, 390-392.
Davis, El Gringo, pp. 374, 385.
Lane, I Married a Soldier, pp. 41, 104-107,110.

The last military post erected in the El Paso district before the Civil War was Fort Quitman. July 23,

1858, the commander of the Department of Texas ordered two companies of the Eighth Infantry to take post at or near the junction of the Rio Grande and the San Antonio Road. A few weeks later the post had been located five miles above the point where the road first struck the river, and about eighty miles below El Paso. It too was occupied until after the outbreak of the war.[16]

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[16] Orders No. 18, Headquarters, Department of Texas, July 23, 1858.
Orders No. 19, Headquarters, Department of Texas, September 19, 1859. Copies of both orders are in the writer's possession.

While the United States government was experimenting with military posts and American adventurers were seeking El Dorado at the Pass of the North, the El Paso district was passively involved in one of the greatest political controversies of the century. The Republic of Texas, in an act of December 19, 1836, had definitely asserted its claim to all the land lying north and east of the whole course of the Rio Grande to the western boundary of the United States as defined in the Spanish treaty of 1819. The resulting boundary dispute with Mexico was settled by the Treaty of Guadalupe Hidalgo; but before the Mexican War was ended Texas was involved in another disagreement about her boundary. This time the quarrel was with New Mexico and the United States concerning the control of the territory east of the Rio Grande formally

claimed by Texas for ten years, but always under the jurisdiction of New Mexico. This boundary question became complicated with several other important political issues, chiefly with that of slavery in the newly acquired territory, and was finally settled by the Compromise of 1850. Under the terms of this settlement, the western boundary of Texas was defined as a line beginning at the intersection of the meridian of 103 degrees west longitude and of the parallel of 36 degrees, 30 minutes north latitude and running south on that meridian to parallel 32 and west to the Rio Grande. This definition left the El Paso Valley and its settlements in Texas, and allowed New Mexico to retain the Mesilla Valley and its inhabitants.[17]

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[17] W. C. Binkley, The Expansionist Movement in Texas, 1836-1850, p. 217.

Meanwhile, Texas was taking steps to establish her control over the disputed territory. By an act approved March 15, 1848, the legislature created the County of Santa Fé with the following boundaries:

> "Beginning at the junction of the Rio Puerco [Pecos] with the Rio Grande and running up the principal stream of the said Rio Grande to its source and thence due north to the forty second degree of North latitude; thence along the boundary line as defined in the treaty between the United States and Spain, to the point where the hundredth degree of longitude west of Greenwich intersects Red River; thence up the

principal stream of the said Red River to its source; thence in a direct line to the source of the principal stream of the Rio Puerce, and down the said Rio Puerco to the place of beginning."[18]

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[18] H. P. N. Gammel, Laws of Texas, 1827-1897, III, 95.

The act also provided for the location of the county seat at Santa Fé, the creation of county officers and courts, and the holding of elections for county officials under the supervision of the judge of the Eleventh Judicial District on the first Monday in the following August or whenever the judge of the Eleventh Judicial District should think proper. The Eleventh Judicial District was created by another act of the same date.[19]

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[19] Ibid., p. 96.

Spruce M. Baird was sent to Santa Fé to organize the new county and to serve as judge of the Eleventh Judicial District. Travelling by way of St. Louis, Baird reached Santa Fé, November 10, 1848. Meeting with some opposition, he turned his attention to private business for a while and left New Mexico in the autumn of 1849, without having accomplished the purpose for which he was sent.[20]

[20] Baird to Bell, December 4, 1849, P. H. Bell Papers, Texas State Library.
W. C. Binkley, "The Question of Texas Jurisdiction in New Mexico, 1848-1850" in Southwestern Historical Quarterly, XXIV, 7-13, passim.

The following January the Texas legislature again turned its attention to the disputed territory. By the act of January 3, 1849, three new counties were carved out of Santa Fé County. These were Presidio County, between the Rio Grande and the Pecos River south of a line drawn from the junction of the Ford and Neighbor's trail and the Rio Grande as set down on the Creuzbaur map of 1849, northeast to the Pecos River; El Paso County, extending from the northern boundary of Presidio County to a line drawn from a point twenty miles above San Diego, due east to the Pecos River; and Worth County between the northern boundary of El Paso County and a line drawn from the Rio Grande at a point twenty miles "above the town of Sabine" due east to the eastern branch of the Pecos River. The act provided for county officials and county seats; in El Paso County the county seat was located "on the Rio Grande opposite the town of El Paso, until otherwise provided by law."[21] The next day the

[21] Gammel, Laws of Texas, III, 462-463.

legislature provided by law for the appointment of a commissioner to organize these counties by laying them off into election and justice precincts and holding elections for county officers.

Additional legislation erected the reduced Santa Fé County and the new counties of Presidio, El Paso, and Worth into the Eleventh Judicial District and a state senatorial district, and gave the three new counties together one representative in the lower house of the State Legislature.[22]

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[22] Gammel, Laws of Texas, III, 462, 459-460, 464-465, 479, 481.

In this connection it is worthy of note that on January 3, 1850, one Charles A. Hoppin, of San Elizario, addressed a letter to Governor Bell. In this letter he urged the establishment of civil government by Texas, as otherwise the people would be compelled to seek the protection of New Mexico. The picture of political disorganization which Hoppin draws is interesting. There was a prefect residing several miles above El Paso; this was T. F. White, of Frontera, who had been appointed to his office by the governor of the Territory of New Mexico. For each of the villages below El Paso, White had appointed alcaldes, whose decisions were made in accordance with codes of their own selection. The alcalde at San Elizario, "a very worthy Mexican" was guided by the laws of the state of Chihuahua. Aside from these, there were neither magistrates nor sheriffs, judges nor courts. The Americans who were "daily coming in" felt themselves entitled to jury trials, but questioned the authority of the existing officers to conduct such

trials and determine and execute sentences. Also they were desirous of having the question of state jurisdiction decided. Hoppin's letter ends with the request for the "great favor" of a copy of the laws of Texas, as he believed there was none west of San Antonio.[23]

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[23] Hoppin to Bell, January 3, 1850, P. H. Bell Papers, Texas State Library.
Robert S. Neighbors to Bell, March 3, 1850, Ibid.

On the same day that the new counties were created Governor Bell nominated Major Robert S. Neighbors as commissioner to effect their civil organization. Neighbors knew something of the country as he had been a special Indian Agent of the United States in the region and with John S. Ford had made an exploratory expedition to El Paso in the spring of 1849. Neighbors arrived in El Paso February 17, 1850, and immediately circulated a proclamation issued by the governor ordering an election of county officials. He found that both the older residents and the newly arrived American citizens from other parts of Texas were so anxious to hold an election for the seat of government that they would have held one on their own account had he not called it along with that for county officers. The election was called for February 18, 1850. Charles A. Hoppin was elected Chief Justice of the El Paso County Court. San Elizario was made the county seat, to the dissatisfaction of some people. On March 23, 1850, Neighbors reported that El Paso County was

fully organized and that the officials elected had entered upon the discharge of their duties. May 1, 1850, Governor Bell appointed the following notaries public: Alexander Berthold, of Socorro; Jarvis Hubbell, of Franklin; T. F. White, of Frontera; and Archibald C. Cryde [Hyde?], presumably of San Elizario. The first three had been recommended by Neighbors. The military authorities at El Paso had placed no obstacle in Neighbors' way as Major Jefferson Van Horn, the commander at Fort Bliss, believed that his orders authorized the surrender of what civil jurisdiction he possessed. The residents of the newly organized counties were much gratified.[24]

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[24] Bell to Senate, January 3, 1850, P. H. Bell Papers, Texas State Library.
Neighbors to Bell, March 23, 1850, Ibid.
Neighbors to Bell, undated statement concerning the election for the seat of government, Ibid.
List of notaries appointed by Governor Bell for El Paso County, May 1, 1850, marked "con", Ibid.
Binkley, "The Question of Texas Jurisdiction in New Mexico," in Southwestern Historical Quarterly, XXIV, 23-27.

The elections called by Neighbors were held in February, 1850; besides choosing Charles A. Hoppin as Chief Justice of the El Paso County Court, the voters elected Samuel W. Barker to be County Clerk. Beyond this, the results of the election are not known. In August of the same year, the regular election returned new holders to these offices.

Archibald C. Hyde took the oath of office as Chief Justice of the El Paso County Court on August 20, 1850; the same day Theodore I. Miller was sworn in as County Clerk. During the next two years the following officers qualified on the dates given; some of them were elected, but the date of the election is not known:[25]

Henry L. Dexter, Tax Assessor and Collector,	February 10, 1851
David L. Carey, Justice of the Peace,	January 30, 1851
Theodore Vahldeick, Justice of the Peace,	February 3, 1850[1851?]
Dolores T. Rosecrants, Justice of the Peace,	February 18, 1851
Pedro Gonzales, Justice of the Peace,	February 19, 1851
Alexander Berthod[Berthold], Justice of the Peace,	March 10, 1851
Jeremiah Snyder, Magistrate,	January 27, 1851
John Scheel, Commissioner,	February 17, 1851
Martin Duran, Constable,	February 19, 1851
Lewis Dutton, Treasurer,	March 4, 1851
Charles Hull, District Clerk, appointed to fill the vacancy caused by the resignation of W. W. Roser,	August 11, 1851

In the following list, the dates may be the date of qualification or that when the name first appears on the record. The election was held August 2, 1852.

Simeon Hart, Chief Justice, El Paso County Court	
Francisco Paso, Justice of the Peace,	August 12, 1852
Jesus Lujan, Justice of the Peace,	August 16, 1852
Esler Hendree, Justice of the Peace,	September 18, 1852

Juan Baptista Olguin, Justice of the Peace,	August 2, 1852
Pedro Gonzales, Commissioner,	August 15, 1852
Gregoria Garcia, Commissioner,	August 14, 1852
Alexander Berthold, Commissioner,	August 18, 1852
Tomas Trigoyen, Commissioner,	August 21, 1852
Julian Arias, Constable,	August 2, 1852
Martin Duran, Constable,	August 12, 1852
Pedro Sisneros, Constable,	August 16, 1852
Lewis Dutton, Treasurer,	August 16, 1852
John McCarty, District Clerk,	August 16, 1852
T. J. Miller, County Clerk,	August 16, 1852
succeeded by Rufus Doane,	September 8, 1853
succeeded by Samuel Magoffin,	December 12, 1853
A. C. Hyde, Tax Assessor and Collector,	
W. M. Ford, Sheriff,	August 16, 1852
William L. Diffendorfer, District Surveyor,	August 18, 1852

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25 The only records for the years preceeding the Civil War found by the writer in County Clerk's Office are Deed Records A and B. The first entry in Deed Record A is dated April 15, 1850, and is signed by "Chas. A. Hoppin, C. Justice C. C. E. P. C.", to which he affixed his "private seal there being no seal of office yet provided." The book is worn and mutilated; some of the entries are in Spanish and record transfers of property of earlier date than the first. Many official bonds are recorded, but not for all the possible officers. The last record is dated October 1, 1857. Deed Record B is worn also and has a few pages missing. The first entry is dated December 19, 1858, the last July 5, 1862, and is found on page 231. From page 234 the remainder of the volume is devoted to the "Report of a Guard mounted at Franklin, Texas," from June 24, 1863, to October 25, 1863.

The above list of county officers is compiled largely from the names of officials appearing in these Deed Records, either in official bonds, or attached to entries. The evidence

of Simeon Hart's chief justiceship appears in a letter to Governor Bell (July 24, 1853) in Papers of P. H. Bell, Texas State Library.

Charles A. Hoppin subsequently went to New Mexico and was appointed clerk of the court of the First Judicial District of the Confederate Territory of Arizona. (E. D. Tittman, "Confederate Courts in New Mexico," in New Mexico Historical Review, III, 348.)

Samuel Magoffin was a son of James Wiley Magoffin; he joined the Confederate Army and was killed during the Civil War. (Mills, Forty Years at El Paso, p. 18.)

Benjamin S. Dowell was a Kentuckyian, who served as a private during the Mexican War; in 1850 he settled in El Paso County where he held various offices, "raised a large and respectable family of sons and daughters and acquired a competency by industry and perseverance", and became something of a personage. (Book "B", Office of the County Clerk, El Paso, Texas, pp. 38-40.)

The records of the Secretary of State list the following elected officers from August 7, 1854 to the outbreak of the Civil War:[26]

	Elected August 7, 1854	Elected August 4, 1856
Chief Justice	A. C. Hyde	Henry L. Dexter
County Clerk	J. Hubbell	Alexander Berthold
District Clerk		John S. Gillett
County Treasurer	Luis Dutton	Lewis Dutton
Sheriff	D. Sperry	David Sperry
Assessor and Collector	Horace Stephenson	William A. Mitchell
Justices of the Peace	Theodore Valaldrick	Rufus Doane
	Francisco Pasas	Martin Aldereta
	Martin Lujan	Gregorio Olguin
	Gregorio Garcia	Santos Lucero

	Elected August 7, 1854	Elected August 4, 1856
Commissioners		Juan Apodaca
		Jose Ma. Gonzales
		Agapito Apodaca
		Martin Garcia

	Elected August 2, 1858	Elected August 6, 1860
Chief Justice	John L. McCarty	Henry S. Gillett
County Clerk	Jose Mauro Lupan[Lujan?]	J. M. Lujan
District Clerk		A. S. McClung
County Treasurer	Lewis Dutton	Lewis Dutton
Sheriff	William Watts	Samuel Warren
Assessor and Collector	Benjamin S. Dowell	H. M. Ward
Justices of the Peace	Benjamin Gillock	Fred Augustus Percy
	Tomas Trigoyen	W. B. Gillock
	Julian Arias	Jose Ma. Gonzales
	Juan B. Olguin	N. Padilla
	Jesus Lupan[Lujan?]	Julian Arias
	Martin Pais	C. F. Nunez
	Telesfero Montes	Absolum Verrick
		P. H. Shoemaker
		Gregorio Garcia
		E. N. Ronquillo

		Elected August 2, 1858	August 6, 1860
Commissioners		Tomas Trigoyen	Joseph Nangle
		Martin Alderete	Martin Alderete
		Juan B. Olguin	J. B. Olguin
		Jesus Lupan(Lujan?)	Jesus Lujan
District Surveyor		Rufus Doane	
	Coroner		James Buchanan

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[26] Register of State and County Officers, No. 259, Secretary of State's Office, pp. 185-186.

Information concerning the state officials elected from El Paso County is even more limited than that about local officers. Spruce M. Baird was the first judge of the Eleventh Judicial District and in that capacity held court in the county in the fall of 1850. In August, 1851, the name of Joel S. Anrim [Ankrim] appears as judge pro tem. It is not known who held the office from that time until 1858 when Josiah F. Crosby was elected District Judge. He continued in office until he left the district in 1862. The first name which appears for the office of District Attorney is that of Esler Hendree, who was elected in 1862 and held the office until his death the next year. Archibald C. Hyde was elected to hold the same office, August 4, 1856; in 1858 there was no District Attorney owing to Hyde's resignation. The name of W. J. Morton is found in 1861. In 1851 B. M. Browder and Rufus Doane represented El Paso County in the Fourth Legislature, in the House and Senate, respectively.

Who was elected to the State Senate from the district composed of El Paso and Presidio Counties to the Fifth and Sixth Legislatures is not known. Archibald C. Hyde sat in the Seventh Legislature as senator from that district in 1857. In the Sixth Legislature Josiah F. Crosby was the representative from El Paso County. The name of no one from the county appears in the list of representatives of the Seventh Legislature. When the Eighth Legislature met in 1859, Jefferson Hall took his seat in the lower house; in the Ninth Legislature Hall retained his seat in the House and H.-- Cook was elected to the Senate.[27]

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[27] Baird to Bell, October 29, 1850, P. H. Bell Papers, Texas State Library.
Hart to Bell, July 24, 1853, Ibid.
Deed Record A, pp. 200, 330-331, 336, 582-583.
Texas Almanac, 1859, p. 195; 1862, p. 39,52.
Senate Journals: Fourth Legislature, p. 4; Seventh Legislature, p. 3.
House Journals: Fourth Legislature, p. 5; Sixth Legislature, p. 5; Eighth Legislature, p. 5.
Josiah F. Crosby was born in Charleston, South Carolina, January 3, 1829; at an early age his widowed mother brought him to Texas, where the family settled in Washington County. He was admitted to the bar, practiced law at Brenham and was elected District Attorney of the Third Judicial District. Being threatened with tuberculosis, and having been told by J. L. Ankrim of the health-giving climate of El Paso, he resigned his office and went to El Paso in April 1852. There he soon became interested in politics and active in business, in which he was associated with James Wiley Magoffin, whose agent he seems to have been in 1855. In 1859 he became one of the joint owners of the De Leon tract. In 1856, in Austin, he married Josephine Bremond, who bore him eight children. Josiah F. Crosby's son, William, was the first male American child born in El Paso. In 1855 he was elected to the State Legislature. He held the office of district judge until he resigned in 1862.--El Paso Times, Midsummer Trade Edition, August, 1887; January 5, 1904.

After the organization of El Paso County in the spring of 1850, as recounted above, Neighbors went to Worth County. In Mesilla Valley he found a strong prejudice against Texas among some of the most influential inhabitants. This feeling had been aroused by the activities of a certain R. Howard and some other men from San Antonio, who were locating lands already occupied and under cultivation. In order to combat this sentiment, Neighbors pledged the faith of the State of Texas "that the land office will be Closed against all locations until the claims of of the actual settlers are investigated." Without any assurance as to what the state would do, he made the promise in the belief that Texas would give proper protection to the occupants. The United States troops in the Ninth Military District, which included both the El Paso and Mesilla Valleys, had been instructed to maintain strict neutrality in the matter of the boundary dispute, and so offered no opposition to Neighbors. On the contrary Major Steen, the commander of the company stationed at Doña Ana, was the strongest advocate of the Texas claims that Neighbors found in New Mexico and openly avowed his willingness to resign his commission to fight in their defense. Neighbors was, however, out of funds and could not hire an escort to protect his journeys through the Indian country; he was handicapped by lack of official pledges to the people concerning their land; consequently he accomplished nothing in the way of organizing Worth County. From the Mesilla Valley he went to Santa Fé,

where he was equally unsuccessful.[28]

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[28] Neighbors to Bell, March 23, 1850, P. H. Bell Papers, Texas State Library.
Circular letter of John Munroe, Commanding Ninth Military Department, March 12, 1850, Ibid.
Davis, El Gringo, pp. 110-111.
Binkley, Expansionist Movement in Texas, p. 181.

Meanwhile the claim of New Mexico to the El Paso Valley was renounced by a convention which met at Santa Fé May 15 to May 25, 1850. This convention fixed the southern boundary of New Mexico as the boundary between the United States and the Republic of Mexico from the meridian of 111 degrees west to the Rio Grande, down that river to a point just north of El Paso, and east to the one hundredth meridian. The boundary dispute between Texas and New Mexico was finally settled by the act of Congress approved by President Fillmore, September 9, 1850, and agreed to by the Texas Legislature and Governor Bell November 25, 1850.[29]

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[29] Binkley, "The Question of Texas Jurisdiction in New Mexico," in Southwestern Historical Quarterly, XXIV, 32.
Binkley, Expansionist Movement in Texas, pp. 215,217.

One result of the attempt on the part of Texas to extend her jurisdiction over that portion of New Mexico east of the Rio Grande, or to state the case more accurately, a result of the attempts on the part of some over-zealous Texans to take advantage of that extension of jurisdiction, was the establish-

ment of a new settlement west of the Rio Grande. Just before and after the close of the Mexican War, certain unscrupulous Americans began making efforts to secure the property of the Mexican occupants of the left bank of the Rio Grande. Several methods were used: settlement among the long established inhabitants, sometimes forcible occupation of their houses and farms, usually location of the property under a Texas land certificate. Doña Ana, because of its desirable location and its choice as the site for a United States army post, became the Mecca of such land speculators. In the spring of 1850 Neighbors found his work hindered because R. Howard and other Texans were seizing lands occupied and cultivated by the Mexicans. Howard claimed to be a legally appointed surveyor for the Texas government. He and his followers staked out claims to the salt deposits of the region, asserting their exclusive right to use the salt or to tax all who wished to do so. The inhabitants sought the protection of the courts, but failed to get it, from Texas, New Mexico, or the United States. Many, therefore, decided to seek security in Mexican territory.[30]

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[30] Neighbors to Bell, March 28, 1850. H. H. Bell Papers, Texas State Library.
Binkley, "The Question of Texas Jurisdiction in New Mexico," in Southwestern Historical Quarterly, XXIV, 17-18.

In the spring of 1850 Don Rafael Ruelos led a colony of sixty Mexicans to a little plateau in the western valley of

the Rio Grande, about fifty miles above El Paso and six or eight miles below Doña Ana, and there established the town of La Mesilla. In a year's time the population had grown to six or seven hundred. The Mexican government encouraged immigration by offering lands to actual settlers, an offer which induced many dissatisfied Mexicans from New Mexico and from the Texas towns along the Rio Grande to remove thither. More than half the population of Doña Ana came over within the year. When the boundary between Mexico and the United States was fixed at a line which left Mesilla in Mexican territory, there was a day of public celebration ending with a grand ball. After this the population grew more rapidly; in October, 1852, it was estimated at fifteen hundred people. For several years Mesilla was almost wholly a Mexican settlement; the few Americans who went there were usually traders. By the end of the decade it had become the most important town in the Mesilla Valley.[31]

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[31] Bartlett, Personal Narrative, I, 212-215; II, 391. At the present time Mesilla is known as "Old Mesilla" to distinguish it from the new town and railroad station at Mesilla Park, is a tiny agricultural village between the Rio Grande on the west and the main highway on the east, having been placed on the eastern side when the river changed its course during the flood of 1862. The center of the hamlet is the plaza, where the principal streets form an open square in front of the old adobe church. Adobe houses, with thick walls and flat roofs, some of the larger with portales, line the dusty streets; there are no grassy lawns, but even the meanest hut has a flower. Peach and cotton-wood trees overhang the little houses so that the traveller is in the little town almost before he sees it. An air of sleepy content pervades the quiet lanes.

A number of other settlements appeared west of the Rio Grande in the decade of the fifties, established for the same reasons as Mesilla. Some have survived to the present, some have been destroyed by the Rio Grande: -- K. D. Stoes in Griggs, History of Mesilla Valley, p. 95.

After the adjustment of the Texas-New Mexico boundary dispute, the New Mexican portion of the El Paso district was created into Doña Ana County by the territorial legislature in 1852. In 1855 the county was enlarged by the addition of the Gadsden Purchase of 1853. The county seat, originally at Doña Ana, was transferred to Las Cruces in 1853, and to Mesilla in 1856, where it remained until the eighties, when Las Cruces was again made the seat of county government. During this whole period, there was little organization. In the late fifties a movement was on foot to secure the erection of the county into an independent territory on the grounds that it was separated from Santa Fé by the Jornada del Muerto and hence difficult to govern properly. June 19, 1859, a separatist convention met at Mesilla, presided over by James A. Lucas. At this meeting, resolutions of a similar convention held the preceeding fall were reaffirmed. A complaint was made that no court had been held south of the Jornada for three years; a declaration was adopted that this region would henceforth take no part in elections in New Mexico; and certain other steps were taken to effect separation. The following April another convention was held at Tucson, to which Mesilla, Las Cruces, Doña Ana, and the other settlements in the Mesilla Valley sent representatives. The

territory south of latitude 50 degrees forty minutes was declared the "Provisional Territory of Arizona", and was divided into four counties by north-south lines. Doña Ana County included all of southern New Mexico east of the Rio Grande; Mesilla County extended from the Rio Grande to the Chiricahua Mountains. Mesilla was made the capital. L. S. Owings and James A. Lucas, both of Mesilla, were elected governor and secretary respectively; when Sylvester Mowry resigned as Territorial Delegate to Congress August 20, 1860, Owings called a new election for November 6. The Territory of Arizona was created by Congress, February 24, 1863; thereafter the legislature of New Mexico re-
organized Doña Ana County.[32]

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[32] Bancroft, History of Arizona and New Mexico, pp. 504-507, 799-800.

Twitchell, Leading Facts of New Mexican History, III, 185-188.

Deed Record B.

Mesilla Times, October 18, 1860.

Concerning the settlement of Las Cruces no evidence has been found. Bartlett wrote of it on April 20, 1851 as "recently established". In 1854 it was described as a "modern-built Mexican village, and, in the Yankee style, stretches mostly along one broad street with a population of about a thousand souls." A recent account says that the first settlers gave the place its name because of the many crosses which marked the graves of the victims of Indian Massacres. -- Bartlett, Personal Narrative, I, 200; Davis, El Gringo, p. 385; El Paso Times, Golden Jubilee Edition, May 1923, (no other date). Between September 17, 1853 and September 24, 1855, one John Richard Campbell was Probate Judge of Doña Ana County, with his court at Las Cruces. He ruled the country with a firm hand, and in accordance with his own ideas of law and the best interest of the people. -- E. D. Tittman, "By Order of Richard Campbell," in New Mexico Historical Review, III, 390-399.

Soon after the controversy between Texas and New Mexico was settled by the Compromise of 1850, another boundary dispute arose. This time the disagreement was between New Mexico and Chihuahua; it involved the Mesilla Valley and, for a time, threatened to bring war to that region. Like the earlier dispute, this, too, grew out of the boundary definition of the Treaty of Guadalupe Hidalgo, which provided that the dividing line between the United States and Mexico should follow the Rio Grande from its mouth "to the point where it strikes the southern boundary of New Mexico, thence westwardly along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western termination," and so on. The treaty goes on to state that the limits so defined are those laid down in the Disturnell map of 1847 and to make provision for the survey of the boundary by a joint commission. When the Boundary Commission came to survey this part of the line, it was headed by John Russell Bartlett, representing the United States, and General Pedro Garcia Condé, representing Mexico. When the commissioners arrived at El Paso and began their surveys, they found that the position of Paso del Norte, as set down on the Disturnell map, did not coincide with its actual location as determined by astronomical observation, nor did the course of the Rio Grande. The southern boundary of New Mexico, as shown on the map, was about eight miles north of Paso del Norte in latitude 32 degrees and 21 minutes; whereas the true latitude of a point eight miles above that town is about 31

degrees 52 minutes. A similar discrepancy existed between the actual longitude of the Rio Grande at its intersection of the southern boundary of New Mexico and that shown on the map. After several conferences between Bartlett and Condé, a compromise was agreed on, under the terms of which the parallel of 32 degrees 22 minutes was accepted as the boundary between New Mexico and Chihuahua and the river was given its true longitude. A monument was erected on the west bank of the Rio Grande in latitude 32 degrees 22 minutes and the survey begun. When William H. Emory was put in charge of the survey, he protested against this agreement and ultimately it was repudiated by the United States.[33]

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[33] W. M. Malloy, Treaties, Conventions, International Acts, Protocols, and Agreements between the United States of America and other powers, 1776-1909, I, 1109-1110.

J. N. Garber, The Gadsden Treaty, pp. 11-16, passim.

P. G. Smith, Acting Director, U. S. Geological Survey, to Griggs, June 18, 1921, in George Griggs, History of the Mesilla Valley or the Gadsden Purchase known in Mexico as the Treaty of Mesilla, pp. 40-42. This is a little book of 128 pages, made up largely of extracts from other writers and copies of letters and documents, without documentation and with many obvious errors; it contains some source material the writer has found in no other place. Mr. Griggs is the son of a pioneer merchant of Mesilla and maintains the "Billy the Kid Museum."

The Bartlett-Condé agreement and its repudiation involved the political fate of the Mesilla Valley, for the compromise line permitted this region to remain under the control of Mexico and Chihuahua, whereas the line laid down on the map was thirty-five miles farther south and would

have brought most of the valley and all of the settlements into the United States. The colonization of this region by persons dissatisfied with the American government and their rejoicing when the Bartlett-Condé compromise left them outside its jurisdiction have been noted.[34]

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[34] Garber, The Gadsden Purchase, p. 16.

On the other hand, there were many people who objected to this settlement of the boundary question, particularly in New Mexico. Some Americans were hostile to the Mexican government on the grounds that Padre Ramon Ortíz, of Paso del Norte, who was acting as land commissioner of the Mexican government, had wrongfully disposed of lands belonging to citizens of the United States. The State of Chihuahua issued a decree that no one but citizens of Mexico could hold lands in the territory. There was apparent dissatisfaction among the Mexicans in the summer of 1853, when some speculators tried to secure lands by the same methods practiced at Doña Ana a few years before, namely forcible occupation of location under Texas land certificates. When the harassed people threatened to move again, this time to the United States, certain mischief makers suggested that they might save their property by denying

the authority of the Mexican government. This is probably the basis of statements to the effect that the Mexicans wished to be taken under the authority of the United States.[35]

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[35] Lane to Jaquez and Zuloaga, March 23, 1853. El Centenilao, (Chihuahua) in Griggs, History of the Mesilla Valley, pp. 38-39
Bartlett, Personal Narrative, II, 391,392.
Garber, The Gadsden Purchase, p. 71.

Governor James F. Calhoun, of New Mexico, was appealed to, but he refused to take action. His successor in office, William Carr Lane, assumed a different attitude. From the time of his arrival in the Territory in the summer of 1852, he was urged by the Territorial Delegates from New Mexico to claim jurisdiction over the Mesilla district and to take forcible possession of it. Lane, saying that he considered himself the governor of all New Mexico and not a part, undertook to occupy the disputed region.[36]

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[36] Ibid., p. 71.
Twitchell, Leading Facts of New Mexican History, II, 294, note 219.

Lane came down to the Mesilla Valley in the spring of 1853, and from Dona Ana issued a proclamation, dated March 13. In it he stated that a portion of the territory of New Mexico on the west side of the Rio Grande was claim-

ed by both the United States and Mexico under the Treaty of Guadalupe Hidalgo; that from or before 1824 until 1851 this region was acknowledged to be within the limits of New Mexico, but in 1851, the State of Chihuahua, without authority from the government of Mexico or the consent of the United States and New Mexico and "in defiance . . . of a large portion of the inhabitants" had assumed jurisdiction over it; that during the discussion of the boundary question the Mexican commissioner had virtually proposed to abandon part of it by dividing it with the United States, and in 1852 the United States had, in effect, asserted sovereignity over it; that the claim of Chihuahua was based on the assumption that the agreement of the commissioners was binding, whereas it was not and had been virtually repudiated by the United States government; that the State of Chihuahua ever since its "forcible and illegal annexation" of the territory had failed to protect the inhabitants against Indian depredations; and that many of the inhabitants were then claiming the protection of the United States and soliciting re-annexation to New Mexico. On his own responsibility, without authorization from Washington, Lane reoccupied the disputed territory to hold it provisionally until the boundary question should be decided by the two governments concerned.[35]

[37] The proclamation is quoted in Griggs, History of Mesilla Valley, pp. 35-37, also in B. M. Read, Illustrated History of New Mexico, pp. 493-496.

The territory in dispute was between the parallel of 32 degrees, 21 minutes, north latitude and a line drawn through a point eight miles north of Paso del Norte and extended west of the Rio Grande for three degrees of longitude. It was a strip about thirty-five miles wide and included the town of Mesilla and most of the inhabited portion of the Mesilla Valley.

Lane called on the military forces stationed in the Mesilla Valley to support him in the reestablishment of United States control, but the commander at Fort Fillmore refused any aid. There was talk of a volunteer force; action looking toward this direction was taken in New Mexico, Texas and California. It seems, however, that Lane secured no real support, officials at Washington criticized his actions as illegal, and in a short time he was recalled.[38]

[38] Garber, The Gadsden Treaty, p. 72.

Jacquez and Zuloaga to Governor of Chihuahua, March 19, 185[3], in El Centenila, (Chihuahua), in Griggs, History of Mesilla Valley, p. 38.

Meanwhile the government of Chihuahua was taking steps to maintain its control. March 18, 1853, a Mexican Commissioner arrived at Paso del Norte; the next day he addressed a letter to Lane urging him as the governor of New Mexico to desist from his attempt to occupy the Mesilla Valley "otherwise as Commissioner of the Mexican

Government, I will not permit the occupation of said territory, as that will blemish the national honor." From Paso del Norte, the Commissioner went to the villages of Guadalupe and San Tomas and then to Mesilla, where he was informed of the presence of Lane at Las Cruces, and of the refusal of the commander at Fort Fillmore to lend military aid. Beyond this, his actions are unknown. Sometime during the second half of March, two companies of Mexican lancers were sent to Mesilla to hold it against the American forces. March 30 General Angel Trias was ordered to Mesilla "to protect the national honor"; he marched to the border with a thousand or more troops, where he seems to have been out-bluffed by Colonel Miles, of Fort Fillmore. There was war talk and drilling of both soldiers and civilians at Mesilla but there is no record of any armed clash.[39]

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[39] Jacquez and Zuluaga to Governor of Chihuahua, March 19, 185[3], in El Centenila, (Chihuahua), in Ibid., p. 38.

Jacquez to Lane, March 19, 1853, in El Centenila, (Chihuahua), in Ibid., p. 38.

"Extracts from the Diary of an Unknown Soldier", in Ibid., pp. 56-60.

Order of the Governor of Chihuahua to Trias, March 30, 185[3], in Ibid., p. 37.

Messervy to Webb, July 30, 1853, in R. P. Beiber, "The Papers of James J. Webb, Santa Fé Merchant, 1844-1861" reprint from Washington University Studies, XI, Humanistic Series, No. 2, p. 291.

Though Lane's attempt to take possession of the Mesilla Valley did not succeed, it had the effect of compelling the United States Government to act. The threatened conflict with Texas precipitated the issues between the two republics. To adjust these issues and to prevent conflict along the border a new treaty was made with Mexico. By the Gadsden Treaty of December 30, 1853, the disputed boundary was defined as a line through the point where the parallel of forty-one degrees, forty-seven minutes, north latitude crosses the Rio Grande, thence due west one hundred miles, then south to the parallel of thirty-one degrees, twenty minutes, and west to the meridian of one hundred and eleven degrees west. The boundary line was not located until 1856, but in order to establish the jurisdiction of the United States over the territory, on November 16, 1854, General Garland, on the order of Governor Merriwether, of New Mexico, took formal possession of the Mesilla Valley. The flag of Mexico was lowered from the flagstaff at Mesilla and the United States flag was raised in the presence of officers and troops of both armies and visiting dignitaries of both nations.[40]

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[40] Garber, The Gadsden Treaty, pp. 73-74, 156-157. Malloy, Treaties, I, 1121-1122. Terrazas to Griggs (?), November 1, 1929, in Griggs, History of Mesilla Valley, pp. 50-51.

During these years of dispute the tide of migration continued to flow through the valley of the Rio Grande. In 1850 a new element was added to the steady stream of travellers bound for California when the cattle drive from Texas was begun. When the first herds arrived at the Pass of the North cannot be said with any degree of certainty. June 7, 1850, "a large train, a caballado of many cattle, horses and mules" passed Fort Fillmore. A fortnight later a poverty stricken caravan arrived which was making its cattle do double duty, eighty cows being yoked like oxen to the wagons. By 1854 the cattle drive through the region had grown to considerable proportions.[41]

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[41] "Extracts from the Diary of an Unknown Soldier," in Griggs, History of Mesilla Valley, p. 58.

James Bell, Diary of a Cattle Drive from Texas to California, 1854, Ms. in the University of Texas Library, 14 ff.

Pope, "Report," in Reports of Explorations, House Ex. Doc. No. 91, 33rd Cong. 2 Sess. Ser. No. 792, p. 33

Prose and Poetry of the Livestock Industry of the United States, I, 392.

Martin, "California Emigrant Routes Through Texas," in Southwest Historical Quarterly, XXVIII, p. 300.

There were several trails through the El Paso district. One from the Pecos River ascended Delaware Creek near the Texas-New Mexico boundary, and went west to El Paso, probably following the route of the Upper Emigrant Road. An-

other left the Pecos River farther north, went up Penasco Creek, thence across the divide to near Tularosa, and southwest to Las Cruces. Those who followed this route crossed the Organ Mountains at San Augustine Pass above Las Cruces, or went through the gap between the Organ and the Franklin Mountains farther south. The third route followed the Lower Emigrant Road; from the Pecos River it passed through Limpia Canyon to Eagle Springs and south to the Rio Grande which was struck about eighty miles below El Paso. From El Paso the Rio Grande was followed for almost one hundred miles to Fort Thorn above the San Diego crossing, then west to Cook's Springs and the Mimbres River and through the Florida Pass to Arizona and California. The second route was used by many herds.[42]

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[42] C. Gordon, "Report on Cattle, Sheep and Swine," in Report on Productions of Agriculture, Tenth Census, House Misc. Doc. 42, pt. 3, 47 Cong. 2 Sess., Ser. No. 2131, pp. 35-36. "Memo of Mr. Campbells Route to California" [sic] in B. H. Erskine, ed., The Diary and Letters of Micheal Erskine, Ms. in the University of Texas Library, pp. 1-2; "Mr. Malerys directions to California from El Passo" [sic] in Ibid., p. 6; "Diary" in Ibid., pp. 19-27, passim.
Bell, Diary, Ms. in the University of Texas Library, pp. 18-23
J. Evetts Haley, interview.

Trail drivers who followed the river route were warned to keep their cattle out of the willow thickets. The road was bad and the grass generally poor through the El Paso Valley; about ten miles below the town there was a

dangerous bog. Above El Paso for about eight miles and near Fort Fillmore and Doña Ana there was good grass where drivers were advised to graze their cattle. A bit of advice to intrigue the student is to "Pass Ell Passo to White's if possible, and not stop at that point if you can help it."[43]

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[43] "Memo of Mr. Campbells rout to California" in Erskine, Diary, Ms. in the University of Texas Library, p. 1.

There is evidence that the advice was followed and the herds sent ahead to the good grazing above the pass, while those in charge stayed in the settlements to have wagons mended and to bring in those cattle which had lagged behind. Beef cattle and surplus horses were sometimes disposed of at the army posts. Cowboys took advantage of the opportunity to get drunk and maybe to steal a horse from the Mexicans. James Wiley Magoffin gave advice concerning the route farther west and entertained the owners of the herds. Supplies were bought from the quartermaster at Fort Bliss or perhaps at Fort Fillmore, farther on.[44]

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[44] Erskine, Diary, pp. 20-21. Ms. in the University of Texas Library.

Increasing traffic between the east and the west and the need and demand for more rapid means of communication

between the Mississippi Valley and the Pacific coast led in the decade of the fifties to a development with which the growth of the El Paso district was closely associated. This was the establishment of the transcontinental mail and stage lines. Mail was being carried through the El Paso district by regularly established postal officials as early as 1825. At that time there was a tri-monthly mail from Chihuahua to Santa Fé, which enabled a correspondent to get an answer to a letter in two months. Ten years later the service was so uncertain and irregular that merchants preferred to send their letters by such expresses as occasion offered.[45]

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[45] Willard, "Inland Trade with New Mexico" in Pattie, Personal Narrative, p. 342.
Gregg, Commerce of the Prairies, II, 67-68.

The earliest official United States mail line to traverse the El Paso district was established in 1854. On April 22 of that year David Wasson made a contract with the government to carry the mail between San Antonio and Santa Fé once a month, in two-horse coaches, on a twenty-five day schedule. The contract was transferred to George H. Giddings, March 13, 1855, who held it uhtil it expired June 30, 1858. Charges were high, but were not considered exorbitant by

those who knew the constant dangers of Indian attack to which the mail carriers were exposed. A recent historian says that this line made better time than the line from Missouri to Santa Fé, but he is contradicted by W. H. H. Davis, for two and a half years the United States Attorney in New Mexico, who wrote in 1856 concerning the "monthly mail from San Antonio, Texas" asserting that "the dates received by it are not so late as those received by the eastern route." In the latter years of its service this mail line carried passengers. The fare from San Antonio to El Paso was $100.00 and "found"; passengers were allowed forty pounds of baggage and were not required to do guard duty.[46]

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[46] L. R. Hafen, The Overland Mail, 1849-1869, pp. 73-75.
F. L. Olmstead, A Journey Through Texas, p. 287.
Davis, El Gringo, p. 272.

The first transcontinental mail line through El Paso was established in 1857, when the San Antonio and San Diego Mail Line went into operation on August 9. The original contract was between the United States Government and James E. Birch, of Massachusetts, but Birch soon lost his life and George H. Giddings became the proprietor of the line. In 1858 Robert E. Doyle of California, the agent of the company at San Diego, secured an interest in the contract. Mail and passengers were carried in "fine, new,

square-bodied coaches, drawn by five mules." The fare for passengers was $200.00, the company bearing all expenses and furnishing as good accomodation as possible. The average time required for the trip was twenty-three days. As the mail left San Antonio on the ninth and San Diego on the twenty fourth of each month, it must have reached El Paso near the end of the first and third weeks. It is a matter of some interest that El Paso's Kit Carson, Henry Skillman, was in charge of the first mail coach that left San Antonio over this line. This line was operated with much success until the spring of 1861, when the stations in western New Mexico and Arizona were destroyed during an Apache uprising. The route followed by the San Antonio and San Diego mail line was the Lower Emigrant Road from San Antonio to El Paso, so generally used by government freighters, traders and stockmen.[47]

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[47] Texas Almanac, 1859, pp. 139-150.
IlaMae Logan in San Antonio Express, Feb. 23, 1929.
J. H. Brown, History of Texas, II, 538-539.
Martin, "California Emigrant Routes Through Texas", in Southwestern Historical Quarterly, XXVIII, 300.
George H. Giddings is listed by W. W. Mills (Forty Years at El Paso, p. 18) as one of the ante-bellum residents of El Paso. His brother, J. J. Giddings, was at Mesilla when the outbreak occurred. Acting on the advice of the Indian agent there, with a party of thirteen well-armed men in two coaches, he started out to find Cochise, the chief of the Apaches concerned in the uprising, to try

to persuade the Indians to renew their former friendly relations with the mail company. At Stein's Peak in eastern Arizona, the Giddings party was attacked by 250 Indians. Making a barricade on the mountain side of their overturned coaches, they kept the Indians at bay for two days, until their ammunition was all gone, and they were all killed except one man. George H. Giddings was in El Paso at the time and received the news of his brother's death at almost the same time that the eastern mail brought the news of the attack on Fort Sumter. This siege at Stein's Peak is one of the famous Indian fights of the Southwestern frontier.--Ila Mae Logan in the San Antonio Express, Feb. 23, 1919.

When the Civil War broke out, Giddings joined the Confederate Army and equipped a company at his own expense. He died of pneumonia, while visiting a daughter in Mexico City. Three of his daughters are living in El Paso; from one of them, Miss Edith Giddings, the above information was obtained.

During the period immediately following the death of Birch, and before the contract passed into the hands of Giddings, Birch's agent, Major J. C. Woods, was making arrangements for putting it into effect. In so doing he incurred heavy debts. Simeon Hart encouraged him to go on with the establishment of the line, and helped him finance it, so preventing its failure before it could be taken over by the new owner.--Texas Almanac, 1859, p. 139.

A third, and perhaps the best known of the stage lines through the El Paso district, was the Southern Overland Mail, commonly known as the Butterfield Mail. Authorized by Congress, March 13, 1857, it came into being when John Butterfield and his associates made a contract with the government to provide a semi-weekly mail and passenger service from the Mississippi River to San Francisco. Service was to begin September 15, 1858, and it is possible that the first mail passed through El Paso about the twenty-

Eighth of that month. At first the route followed the Marcy Trail through Texas, which in the El Paso district coincided with the Upper Emigrant Road from the Pecos River to El Paso. It has been said that before the first year of service ended, the route had been changed to the Lower Road because of lack of water; but the available evidence concerning the road through the El Paso district indicates that such a change, if made at all, was only temporary. West of El Paso the Butterfield road followed the Rio Grande to Fort Fillmore, thence west by way of Cook's Springs to Tucson over the newly built government wagon road. This was the route followed by the San Antonio and San Diego Mail between El Paso and Yuma so the service on the Giddings line was discontinued between those two points in December, 1858. Congress, March 2, 1861, authorized a transfer of the transcontinental mail from the southern to a central route through Atchinson, Kansas, providing, however, for the continuation of local service through El Paso. The Civil War made this southern service impossible, and in the summer of 1861 it was discontinued.[48]

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[48] Hafen, Overland Mail, pp. 81-108, 217, and map on p. 343.

R. N. Richardson, "Some details of the Southern Overland Mail", Southwestern Historical Quarterly, XXIX, 3-4, 13 and note.

Martin, "California Trails Through Texas," in Southwestern Historical Quarterly. XXVIII, 289.
Darton, Deming Folio, p2 2 and map.
James B. Gillett, Six Years with the Texas Rangers, 1875 to 1881, pp. 238-243, passim.

At Hueco Tanks about thirty miles east of El Paso, the Butterfield Line maintained a stage station, as did the San Antonio and San Diego Mail. Other stations were located at Cornudas del Alamo [Alamo Springs] thirty-six miles farther east, and at Crow Springs on Crow Flat, beyond which the line passed out of the El Paso district.[49]

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[49] Gillett, Six Years with the Texas Rangers, pp. 238-239.
Mr. Roscoe Conkling, public lecture, May 19, 1931. Mr. Conkling is a student of the history of the Butterfeild trail and recently followed it through Texas by automobile.
At the present time there is a little stone building on the east side of Hueco Tanks just south of the opening to the ampitheater; this is said to have been the station of the San Antonio and San Diego Mail. The Butterfield station is said to have been about two miles southwest of the Tanks. (Col. Martin E. Crimmins). The Butterfield trail is followed very closely by the newly constructed United States Highway No. 62 from El Paso to Carlsbad, New Mexico.

It has been said of the Butterfield or Southern Overland Mail that "from the first its operation had the effect of advertising and greatly aiding in the settlement of the country through which it passed." This statement seems especially applicable to the little town of Franklin,

which in 1858, was not only a division point of the "Overland Mail" but also the terminus of the San Antonio and San Diego stage from San Antonio and a line from Santa Fé. Paso del Norte, on the Mexican side of the river, was connected with the city of Chihuahua by stage. In 1859 Edward Hall, the agent of the San Antonio and San Diego Mail Line, secured from W. T. Smith an acre of the De Leon tract for use of the company. Here the company maintained a large general store in addition to its transportation business. The "Overland Mail" occupied the finest building in the town, covering almost a whole block. Many employees were necessary to care for the equipment at this station and Franklin became, in consequence, something of a money center. The promise of future prosperity held out by the establishment of the stage stations led to the coming of a number of new residents.[50]

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[50] Mills, Forty Years at El Paso, pp. 24, 36.
Mills, My Story, pp. 50, 52, 53.
Opinion of the United States Attorney on Title to lots 25, 26, 27 and 31, Block 5, El Paso--undated copy in possession of Miss Edith Giddings.
El Paso Times, Midsummer Trade Edition, Aug. 1887.
R. C. Crane, "Some Aspects of the History of Western and Northwestern Texas since 1859", in Southwestern Historical Quarterly, XXVI, 39.
The early importance of the stage line is commemorated in the names of several of the streets in El Paso. The west bound stage coaches rattled out of town along San Francisco Street; those from San Antonio entered by the street

of that name; Santa Fé Street is part of the route from the capital of New Mexico to Chihuahua. Mills Street was formerly called St. Louis Street because the stages from there came in over it. It is sometimes said that Overland Street is the way by which the Overland stages entered, but it is possible that it was so named because of the location on it of the Overland Mail station. The first town plat of El Paso shows stages on El Paso Street headed for Paso del Norte.

Throughout the period under consideration the Indians remained a constant menace to the property and lives of travellers and settlers. The El Paso district was in the heart of the Apache country; the upper Rio Grande Valley was the range of two powerful tribes, the Mescalero Apaches, whose particular haunts were in the Sierra Blanca Mountains to the east, and the Gila or Copper Mine Apaches from the region of the Mimbres River on the west. The Apaches were not a pastoral people; the lands they occupied were unsuited to agriculture, had they chosen to be farmers. The supply of game was scant; hence they lived, and had for years, on plunder. Livestock was the particular object of their desire. They raided the settlements and the grazing grounds to secure the cattle and mules of the inhabitants or to recover property stolen from themselves, for thievery was not confined to their race. Civilized man and barbarian regarded each other as fair prey, and it is a question which was the more unscrupulous. In the course of their raids

they killed many a lonely shepherd, and kindapped children to be adopted into the tribe or sold into slavery. Their attacks were rarely made on large parties, consequently merchants and emigrants went in caravans and officials traveled with escorts.[51]

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[51] Pope, "Report" in Reports of Explorations and Surveys, House Ex. Doc. No. 91, 33 Cong. 1 Sess., Ser. No. 792, pp. 13-14.

Neighbors to Bell, March 28, 1850, P. H. Bell Papers, Texas State Library.

Baird to Bell, Aptil 18, 1851, Ibid.

The military posts were established to protect the settlers from the Indians. The army was not able to put a stop to the raids; the forces were too small, and in many cases unmounted. The Indians, when pursued, scattered so that punitive expeditions were usually unsuccessful. Troops were sometimes given garrison duty when they might better have been employed in operations to prevent attacks. It was suggested early in the period of American occupation that preventive measures should be undertaken rather than attempts to punish, which were almost sure to fail. In spite of mistakes in policy, there is some evidence that the presence of troops mitigated somewhat the severity of the raids. In 1854, E. A. Graves was appointed Indian

agent at Dona Aña; he resigned in a few months. In the next year the campaign against the Mescalero Apaches was so successful that they sued for peace and in June made a treaty with Governor Meriwether of New Mexico. Under the terms of this treaty an Indian reservation was provided for near Fort Stanton. Though the treaty was not approved, an agency was maintained from this year on with Micheal Steck as Agent. After 1855, a considerable part of the Mescaleros kept the peace. During the same year Meriwether made a treaty with the Mimbres Apaches with about the same results. The Confederate invasion of New Mexico in 1861 put an end to the efforts of the civil government to deal with the Indians, who renewed their raids as soon as the agency was broken up.[52]

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[52] Pope, "Report" in Reports of Explorations and Surveys, House Ex. Doc. No 91, 33 Cong, 2 Sess. Ser. No. 792, pp. 13-14.

Bancroft, History of Arizona and New Mexico, pp. 668-571.

These last few sentences are not intended to suggest that property was safe and lives not in danger from Indian attacks. That was never the case until after 1880. In 1850 Southern New Mexico was so overrun by the Apaches that travel was impossible except in strong parties. The single company of dragoons stationed at Doña Ana was active

in pursuit of marauders but too small for any but limited operations. Reports of raids were numerous throughout the decade. In 1852 the situation was so bad that an address was sent to the Governor of Texas, reporting losses and asking the state to take steps to end the "defencelessness" of El Paso County.[53] The settlements were as much subject

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[53] The difficulty on the part of the State of Texas in offering any sort of protection to El Paso may be better understood if we bear in mind its isolation. It was six hundred miles west of the Texas frontier.

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to attack as lonely herders with their cattle and the Indians were so bold that it was unsafe for a man to ride alone three miles from El Paso. The establishment of Fort Bliss in 1854 at first seemed to offer such effective protection to the Mesilla Valley that the removal of Fort Fillmore to the head of Delaware Creek was suggested in order to make possible the intercepting of the Mescalero Apaches in their raids on the lower valley. But the raids continued, and in spite of the increasing number of engagements between military and Indians, the situation in the El Paso district was about as bad at the end of the decade as at the beginning.[54]

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[54] Neighbors to Bell, March 23, 1850. P. H. Bell

Papers, Texas State Library.

Committee to Bell, August 5, 1852, Ibid.

Bartlett, Personal Narrative, I, 152-155; II, 384.

Pope, "Report" in Reports of Explorations and Surveys, House Ex. Doc. No. 91, 33 Cong. 2 Sess., Ser. No. 792, p. 24.

J. C. Reid, Reid's Tramp, or a Journal of Incidents of Ten Months Travel through Texas, New Mexico, Arizona, Sonora and California, p. 136.

Mills, Forty Years at El Paso, p. 26.

Mills, My Story, p. 52.

By 1860 the permanent occupation of the El Paso district by English-speaking members of the white race was an accomplished fact. Within a period of about ten years a handful of Anglo-Americans, few in number in proportion to the total population, had entered the region to make it their own. From that time on, although continuing to be outnumbered, their language, their customs, their laws, and their civilization were to prevail. Especially in El Paso County, where already the more important offices were filled almost without exception by Americans, was the new and more vigorous Anglo-American gaining the ascendancy over the Latin-Indian; and in the county the hamlet of El Paso was superceding the older Mexican and Indian towns in wealth and importance.[55]

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[55] Deed Records A and B, passim.
Mills, Forty Years at El Paso, p. 16.

The actual increase in population in the El Paso district during the decade of the fifties is difficult to estimate with any degree of accuracy. Among the Mexican inhabitants there was considerable shifting from place to place, as is shown by the exodus from Doña Ana to Mesilla; and from the towns below the pass to Guadalupe. There are no census figures for El Paso County for 1850, but 765 votes were cast in the election for county officers. In 1858, El Paso had 871 qualified voters in a total population of 3,078. The census figures for 1860 show some discrepancies; in one place the aggregate population of the county is given as 4,051 persons; in another as 4,038. There is no attempt to explain the inconsistency. The population of four towns is given: El Paso, with 428 people; Ysleta, 769; San Elizario, 1,052; and Socorro with 753. The estimates of contemporaries give El Paso less and San Elizario and Ysleta more people. A large proportion of the English-speaking population lived in El Paso, and it has been said that three-fourths of its inhabitants in 1858 were Mexican.[56]

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[56] Population of the United States in 1860; as compiled from the original returns of the Eighth Census. pp. 473-488.

Texas Almanac 1859, p. 209.

Binkley, "The Question of Texas Jurisdiction in New Mexico", in Southwestern Historical Quarterly, XXIV, 26
Mills, Forty Years at El Paso, pp. 13, 16.
The Midsummer Trade Edition of the El Paso Times, Aug. 1887, published a list of fifty-four early settlers; of these twenty-eight came before 1860; to these can be added about fifty more names found in Deed Records A and B. Of course, presence of an Anglo-American name as witness to a deed or bond does not necessarily mean that the owner thereof was a resident; he may have been a soldier or a civilian transient. Mills (Forty Years at El Paso pp. 18-20,) names fifty-six American ante-bellum residents of El Paso; thirty-seven of these names do not appear in the Times list. With one exception, these lists do not include women or children.

In the middle years of the decade of the eighteen-fifties, the population of the Mesilla Valley was estimated at about four thousand poeple. Half of these were concentrated in the two villages of Las Cruces and Mesilla, each with about one thousand inhabitants. The remainder were scattered in several tiny farming communities, of which the largest were probably San Tomas and Doña Ana. The census of 1860 gives the total population of Doña Ana County as 6,239; however, it must be remembered that a large part of the county and several of its settlements were outside the El Paso district. A more accurate estimate may be gained from the statistics of the towns within the district; Doña Ana had 667 inhabitants; Las Cruces, 768; Mesilla, 2,420; San Tomas, 120; La Mesa, 618 and "Stephenson's Silver Mine," 149. These figures show that the

upper valley was more thickly populated than the Texas portion of the lower. As in El Paso County the number of English-speaking residents was comparatively small, but their influence was great. They held the more important local offices; they seem to have predominated among the merchants and traders. The only newspaper in the El Paso district was the Mesilla Times, edited in 1860 by a certain Kelly.[57]

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[57] Population of the United States in 1860, pp. 568, 589.

Davis, El Gringo, pp. 385-386.

Mills, Forty Years at El Paso, p. 48.

Pope, "Report" in Reports of Explorations and Surveys, House Ex. Doc. No 91, 33 Cong. 1 Sess., Ser. No. 792, p. 6.

A single copy of the Mesilla Times, published Oct. 18, 1860, is preserved in the University of Texas Library; this is the only one which the writer has been able to locate.

The only arable lands in the El Paso district were in the river bottoms of the Rio Grande. The valley was cultivated only near Mesilla and Doña Ana and between the Pass and San Elizario. Agriculture was dependent upon irrigation; all the water was supplied from the Rio Grande. The flow of the river was variable and frequent crop failures resulted from scarcity of water during the summer months. Below El Paso the main banks of the river were irrigated from Acequias, which were taken out at the dam.

The "Island", between the new main channel of the river and its former bed, was watered by a ditch which led from the division of the Rio Grande at its upper end. Side ditches and laterals carried the water from the principal acequias to the fields. Methods of irrigation were those that had been used by the Mexicans for generations.[58]

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[58] Pope, Ibid., p. 6.
Bartlett, Personal Narrative, I, 188.
W. H. Emory, Report of the United States and Mexican Boundary Survey, I, Part II, House Ex. Doc. No. 135, 34 Cong, 1 Sess, Ser. No. 861, p. 7.

In the El Paso Valley the principal grain crops were corn and wheat; beans, several varieties of peas, quantities of red pepper (chili) and fine onions, as well as some clover and alfalfa, all the common fruits and vegetables had been grown there since the beginning of the century. Cotton had been an important crop at Ysleta during the early part of the century, but there is only one mention of it during the fifties. It is curious that in all the laudatory descriptions of the grapes and wine of the El Paso Valley there is so little evidence of grape culture on the American side of the river. Some grapes were grown at El Paso among the orchards of apples, pears, peaches and apricots; one can be sure, though there is no evidence, that they were grown on the Island also. Above El Paso the

western part of Mesilla Valley produced the bulk of the farm products. There, too, corn was the principal cereal crop; some wheat was grown and considerable quantities of beans, melons, fruits and vegetables. Thousands of grape vines were found near Mesilla by the Texan invaders in 1861.[59]

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[59] Pope, "Report" in Reports of Explorations and Surveys, House Ex. Doc. No. 91, 33 Cong. 2 Sess. Ser. No. 792, pp. 6, 31, 33.

Emory, Report of the United States and Mexican Boundary Survey, I, Part I, House Ex. Doc. No. 135, 34 Cong. 1 Sess. Ser. No. 861, p. 49.

Mills, My Story, p. 51.

Texas Almanac, 1859, pp. 171-172.

H. C. Wright, Reminiscences, Ms. in the University of Texas Library, p. 6.

Phillips, Ysleta. Ms., copy in possession of the writer.

In the mid-years of the decade, livestock constituted the principal wealth of the region. Herds of cattle, sheep, mules, and goats were grazed on the table lands east and west of the river, and in the grassy bottoms of the Rio Grande above El Paso. There were cattle ranches belonging to residents of El Paso at Frontera and Canutillo, and several in the valley below San Elizario.[60]

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[60] Pope, "Report" in Reports of Explorations and Surveys, House Ex. Doc. No. 91, 33 Cong. 2 Sess. Ser. No. 792, p. 6.

Bartlett, Personal Narrative, II, 573.

Stephenson to Hart et al., August 5, 1852, P. H.

Bell Papers, Texas State Library.
Magoffin to Committee, August 5, 1852. Ibid.
Reid, Reid's Tramp, p. 134.
W. R. Howell, Journal of a Soldier of the Confederate States Army, Ms. in the University of Texas Library.

The Rio Grande Valley continued to be the commercial center of a large region, but Paso del Norte had lost its early monopoly as the only considerable market. El Paso and Mesilla, by 1860, had both built up a thriving trade in local and imported products. Both towns continued to profit by the Santa Fé-Chihuahua trade, although El Paso probably got the lion's share because of its location at the junction of the new roads through Texas with the old Spanish highway. El Paso had three wholesale stores; a dozen or more merchants could be named, the character and value of whose merchandise is unknown. Mesilla had as many more. Merchandise was brought from Kansas City by way of Santa Fé or from New York and St. Louis to Lavaca Bay and overland by pack or wagon train. An important element in El Paso's trade was the business of furnishing supplies to the army posts in western Texas and southern New Mexico; fresh meat, flour, corn, hay, and fuel were secured through contractors at that place. The El Paso market afforded fresh fruit, grown across the river, and delicacies like pickled oysters and lobsters and French preserves, although fresh

meat was sometimes hard to get. Whiskey and liquors were also imported from the north and east. As might be expected, prices were high but profits were correspondingly great. Mexican pesos (dollars) and ounces (gold coins worth sixteen dollars) and the warrants issued by the paymasters and quartermasters of the United States army constituted the medium of exchange. The presence of troops in a community added to its prosperity because of the money spent by the army people.[61]

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[61] Mills, Forty Years at El Paso, pp. 18-31, passim. Mills, My Story, p. 52. Deed Records A and B. Davis, El Gringo, p. 383. Pope, "Report" in Reports of Explorations and Surveys, House Ex. Doc. No. 91, 33 Cong. 2 Sess. Ser. No. 792, p. 48 Beiber, "The Papers of James J. Webb," reprint from Washington University Studies, XI, Humanistic Series No. 2. pp. 284-285. Bartlett, Personal Narrative, I, 144, 191; II, 402. Reid, Reid's Tramp, p. 137.

Though farming, grazing, and trade were without doubt the chief industries of the El Paso region, they were not the only sources of prosperity. Freight was hauled through the valley, not only general merchandise and military supplies for the frontier army posts, but machinery for the silver mines of southern Arizona. Some of the wagon trains were locally owned. A number of flour mills

had been established by 1850. There was one at Mesilla, owned by Thomas J. Bull; others were at Las Cruces, San Elizario and El Paso. The last, owned and managed by Simeon Hart, had a capacity of one hundred barrels a day and produced excellent flour. All the forts in that part of the country were supplied with flour from Hart's mill.[62]

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[62] Griggs, History of Mesilla Valley, pp. 96-97. Deed Record A, pp. 18, 202; B, p. 161. Texas Almanac, 1859, p. 143. El Paso Times, Midsummer Trade Edition, August, 1887. J. H. Browne, Adventures in the Apache Country, p. 21.

This period saw, also, the beginning of the mining industry when Hugh Stephenson opened a silver mine in the Organ Mountains. The mine was discovered in 1853 on the western slope south of Las Cruces and north of Fort Fillmore. It was soon in operation, and in spite of the crude methods of mining and smelting, which left about half the metal in the refuse, was a profitable venture; it produced about eighteen dollars worth of bullion from three hundred pounds of ore.[63]

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[63] Bartlett, Personal Narrative, II, 392. Pope, "Report" in Reports of Explorations and Surveys, House Ex. Doc. No. 91, 33 Cong. 2 Sess. Ser. No. 792, p. 31.

A story is told which connects the Stephenson mine with the famous "Padre Mine" placed by local tradition in the southern end of the Franklin range. In 1852 some Indians visiting in Paso del Norte showed Stephenson a piece of very rich silver ore which was promptly accredited to the fabulous lost mine. Stephenson outfitted a large number of Mexican prospectors, who did not find the Mine of the Fathers, but did discover the outdropping which Stephenson developed.--El Paso Times, Feb. 24, 1885.

The El Paso district in 1860, as it had been since its first occupation and would be for many years to come, was a frontier region. Its social conditions were those characteristic of frontier life, modified perhaps by intimate contact with a long-established community made up of diverse elements. Some of the Mexican people were pure Spanish, some were pure Indian, many were a mixture of the two. Thus it happened that the Anglo-American pioneers came in contact with a civilization at once cultivated and primitive. For the rest the background of the Anglo-American society is composed of crude living conditions, wide separation from the amenities of law and decorum, and the presence of men of strong and independent character.

The last two characteristics are sufficient to account for the reputation for lawlessness and violence which El Paso shared with other frontier towns. There is evidence enough of gambling and drinking, of pandering to vicious appetites, of shooting scrapes and murder, to justify the reputation. The records do not prove the existence

of an effective local government either in Texas or New Mexico. The State and Territorial Governments were too far away to keep order, and the military pursued a policy of non-interference. On at least one occasion, representatives of the civil authority of the United States intervened to punish crime and restore order, when the desperadoes seemed to be in control. Even then, while all the technical forms of legal procedure were followed, the weapon on the table before the judge, the armed jurors, witnesses, and spectators proved the summary nature of the proceedings. Lawbreakers from either side of the international boundary crossed the border to perform criminal acts or to escape punishment for crimes already committed. Many of the acts were the deeds of Americans, who considered themselves the representatives of a superior race and sought to prove their superiority by disregarding the rights of a less aggressive people. But not all Americans were ruffians or desperadoes. Some were men of education and culture; others, while not "gentlemen", were individuals of strong character with a moral code, which if different from that of more conventional and decorous communities, was maintained.

The available evidence concerning the relations

between the Americans and their Spanish-speaking neighbors reveals two apparently contradictory conditions. From 1848 on the Mexican inhabitants were subjected to mistreatment on the part of the Anglo-American newcomers, who made attacks on their persons and their properties. There is reason to believe that Guadalupe and several of the little communities in the Mesilla Valley were settled for reasons very similar to those which motivated the founding of Mesilla, that is, to escape the domination of Americans. The summary armed trial, which was referred to in another connection, came after a series of outrages on the population of Socorro by a group of worthless individuals discharged from wagon and emigrant trains and by the United States Boundary Commission. Becauseof their lawlessness, many of the peaceable Mexicans fled, while those who were unwillingto abandon their homes went armed to protect their lives. The extent of their terrorism may be judged by the sentiment expressed by an inhabitant after the desperadoes had been driven away. "We can now sit in the evening at the doors of our houses and not be obliged, as before, to retire with the sunlight, to fix bars and bolts, and huddle into corners with fear and trembling."[64]

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[64] Bartlett, Personal Narrative, I, 166

Another act of violence, which endangered the property and lives of Americans, occurred in 1853. In July Esler Hendree, the District Attorney and a Justice of the Peace, led a gang of about fifty Americans, recruited largely from passing emigrants, into Paso del Norte. The purpose of the raid was to release from jail an American imprisoned for violation of Mexican law. This seems to have been one of a series of invasions by ruffians from the United States into Chihuahua, where feeling was so stirred up that soldiers and civilians sought official permission to retaliate. Perhaps it was the attitude behind such acts as these that caused a later visitor to El Paso to write, "The Americans prescribe a system for their own government, which they extend over the locality occupied by the Mexicans; . . . . They are principally adventurers here, and stand as one man against Mexicans and Indians; and are, of course, omnipotent. . . ."[65] The evidence indicates that those who mistreated

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[65] Reid, Reid's Tramp, p. 161.

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the Mexicans were generally transients, not the Americans who came to stay. That their actions aroused fear and hatred is not surprising.

The reverse of the picture is less humiliating to

Anglo-Saxon pride of race. Between the more respectable Americans and Mexicans the relationship was one of mutual friendliness and respect. Intermarriage was the rule in the early years; except for the wives and daughters of the army officers there were no American women in that region, consequently many Americans married Mexican women. Rarely, if ever, did American women marry men of the other race. Many of these Mexican wives were women of gentle birth, well educated, and charming. Business partnerships between members of the two races were not uncommon. Although many Mexicans spoke English fluently, Spanish was the language usually spoken. On occasions a man's speech might be an amusing jumble of both tongues.

The social life of the time was shared by members of both races and the residents of both sides of the river. Prominent visitors on either side of the boundary were entertained on the other. The guests at private parties, as well as those at official entertainments, included Americans and Mexicans. In their intercourse with each other differences of race and language were forgotten, and each individual stood on his own merit.[66]

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[66] Ursula Magoffin to Josephine Magoffin, Feb. 24, 1860. Letter in the possession of Mrs. W. J. Glasgow.

Bartlett, Personal Narrative, I, 145-146, 166-168; II, 428.

Deed Record B.

Mills, Forty Years at El Paso, p. 27.

CHAPTER IV

THE EPISODE OF THE CIVIL WAR

The same factors of geographical situation which had played such a large part in its earlier history caused the El Paso district to be included within the arena of the Civil War. The English-speaking population had no immediate interest at stake for slavery was practically non-existent. The Confederacy wanted to open a route from eastern Texas to California and to prevent a Federal invasion from the west. For this reason an expedition was sent to expel the Union forces from New Mexico, a movement which led to a counter invasion from California. Both entered and occupied the El Paso and Mesilla Valleys.

With the exception of a few house or body servants belonging to army officers, there appear to have been no slaves in the region, though both Texas and New Mexico were open to slavery and Indian peonage was legal and commonly practised in the latter place.[1] Nevertheless

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[1] Farish, History of Arizona, II, 80-83.

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the district was a hotbed of secession and feeling ran

high, although confined wholly to the Anglo-American population. At El Paso the pro-Southern sympathizersuoutnumbered the Unionists. In a list of fifty ante-bellum residents eighteen can be identified as Confederates; twelve are said to be Union men; the affiliations of twenty are unknown. The most prominent members of the first group were Simeon Hart, James Wiley Magoffin, and Josiah F. Crosby. The Mills brothers, Anson and W. W., were the most active Unionists. In August, 1860, the candidacy of Anson Mills for reelection as District Surveyor was denounced on the grounds that he was an abolitionist and people were told that to vote for him would be unpatriotic. A viligance committee was in existence and the mails were censored, abolition literature being taken out and burned. El Paso sent two representatives to the Secession Convention. When the election to ratify the Texas secession resolution approached, pressure was exerted to make it unanimous; on election day the election judge attempted to throw out Anson Mills's opposition vote. Mills charged that voters were imported from Mexico. All these things may indicate some fear of Union sentiment, but only four or five of the nine hundred votes cast were against secession. Hostility against the Union increased as the spring of 1861 went on, while ad-

herents of both sides left to join the opposing armies.[2]

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[2] Texas Almanac, 1862, p. 23.
Mills, My Story, p. 59, ff.
Mills, Forty Years at El Paso, pp. 18-20, 38, ff.
Anson Mills came to El Paso in 1858 believing that the newly established Butterfield Overland Mail Line would make the promising settlement of Franklin a place of some importance. He was appointed surveyor for the El Paso and Presidio Land District. He suggested the formation of the company composed of Josiah F. Crosby, John S. Gillett, W. J. Morton, Vicente St. Vrain, and W. T. Smith, which promoted the original town site of El Paso on the De Leon Grant, and he made the first town plat. W. W. Mills came to El Paso a year after the arrival of his brother. He was employed in the sutler's store at Fort Fillmore for about a year and then by St. Vrain and Company until after the Civil War broke out.

El Paso County took part in the organization for the impending conflict. John L. McCarthy was made District Collector of War Tax for 1861; Jarvis Hubbell was his assistant and James Wiley Magoffin appears as the commissioner to receive the government property surrendered to the State. After 1862 no records of county elections or officials are found. H. C. Cook and Jefferson Hall represented the El Paso district in the Ninth Legislature in 1861 and 1862; James W. Magoffin and John L. McCarthy were elected to the Tenth, serving in the Senate and House respectively.[3]

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[3] Deed Record B. p. 214.
Texas Almanac, 1862, pp. 44, 52-53; 1863, p. 3; 1864, pp. 28-29; 1865, p. 39.

A somewhat similar situation existed in the Mesilla Valley where most of the Anglo-Americans were secessionists. Prominent among them were Samuel L. Jones, notorious as the pro-slavery Sheriff Jones of Kansas, the sutler at Fort Fillmore in 1861,[4] one Kelly, the editor

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[4] G. H. Pettis, "Frontier Service Suring the Rebellion," in Personal Narratives of the Events of the War of the Rebellion, Third Series, No. 14, p. 34. Need to Cameron, Sept. 27, 1861, in Rebellion Records, Ser. I, L, Pt. I, 640.

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of the Mesilla Times, James A. Lucas, Charles A. Hoppin, and Judge M. H. McWillie. On March 16, 1861, at Mesilla, a "Convention of the People of Arizona" resolved "That we will not recognize the present Black Republican administration, and that we will resist any officers appointed to this territory by said administration with whatever means in our power." The Convention attached the Provisional Territory of Arizona, as they called it, to the Confederacy. The resolutions bore the signatures of Lucas and Hoppin as president and secretary of the convention. A copy of the resolutions was sent to Dr. Lorenzo Labadi, the Indian agent from Tucson, who was also threatened with a coat of tar and feathers if he attempted to exercise the duties of his office. Anti-Union activities continued through the

spring and early summer. The flag of the Confederacy was raised at Mesilla and the Mesilla Times threatened death to the opposition. Yet some latent Union sympathy existed, especially among the Mexicans, to overawe whom the Confederate Government was urged to send a force of Cherokees or Choctaws as one such regiment "well mounted, would inspire more wholesome terror in the Mexican population than an army of Americans."[5]

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[5] Paul to Act. Asst. Adj. Gen. June 16, 1861, in Ibid., IV, 38-39.
Mills to Watts, June 23, 1861, in Ibid., IV, 56-57.
McWillie to Davis, June 30, 1861, in Ibid., IV, 96.
Jones to Walker, June 30, 1861, in Ibid., LIII, 704.

Such feelings among the civilian population must have had some effect on the situation at the military posts located in their midst. At Fort Bliss, Colonel Isaac V. D. Reeve, commanding three companies of the Eighth Infantry stationed there, was in a difficult position. Texas seceded February 1, 1861; February 18, all the military posts and supplies in the state were surrendered by General David E. Twiggs to the commissioners appointed by the Committee of Public Safety; next day Twiggs was superceded by Colonel C. A. Waite, who for various reasons

decided to carry out the agreement made by his predecessor. Therefore, February 24, orders were sent to the garrisons at Fort Bliss and Fort Fillmore to evacuate. Three days later this order was supplemented by another requiring the troops to march to the coast, whence they were to be transported from the state in accordance with the terms of the Twiggs agreement. The order further stipulated that all public property was to be turned over to the authorized agents of Texas.[6]

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[6] Ibid., I, 594, 596.

Colonel Reeve had large government stores at Fort Bliss which would be of great value to either side in case of war. He was unwilling to obey the orders from San Antonio. Anson Mills was on the eve of departure for Washington, where he hoped to secure a commission in the Union Army. Reeve asked Mills to go to the Secretary of War, explain the situation at Fort Bliss, and try to secure authority for him to take his command and the government property to New Mexico. Mills delivered the message and made the request but Secretary Cameron was "so uncertain as to what might happen that he refused, saying that Colonel Reeve must use his own judgment." Even if Reeve had been granted the de-

sired permission, it is doubtful if the order could have reached him before the time set for his withdrawal. On the other hand, if he had gone to New Mexico, the tide of affairs there might have turned in another direction. Had he decided to leave Texas, there is no doubt that his command would have accompanied him.[7]

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[7] Mills, My Story, pp. 62-63.
Reeve to Thomas, June 18, 1861, Rebellion Records Ser. I, I, 571.

Nevertheless, in spite of urging to the contrary, military discipline prevailed. The stores, comprising a year's supply of subsistence and ammunition for two companies or more, were turned over to Commissioner Magoffin, and on March 31, Reeve started with his command for San Antonio. Five days later, the garrison at Fort Quitman evacuated.[8]

[8] Mills, Forty Years, p. 39.
Rebellion Records, Ser. I, I, 502.
General Henry McCulloch, the commander of the Confederate forces in Texas, decided that as war had broken out after the Twiggs agreement had been made, the United States troops ought not be allowed to leave the state. Fifteen miles west of San Antonio, at San Lucas Spring, Reeves was met by Colonel Earl Van Dorn with a force that outnumbered his own four to one. Reeves surrendered May 9, 1861. It is a matter of interest that Colonel John R. Baylor was with Van Dorn.--Ibid., I, 567-568, 627.

Meanwhile, Magoffin had hoisted a Confederate flag over Fort Bliss and with Crosby and Hart had settled down to worry about the unguarded condition of the property left in their care. Sometime before the departure of the troops, the United States paymaster had left Fort Bliss; but before doing so he had turned over to Hart all the money subject to his order, about $20,000. An order on Hart was given to the Texas agent; whether the order was carried out is not shown by the available evidence.[9]

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[9] Clark to Davis, April 17, 1861, in Ibid., I, 628.

In June, General H. H. Sibley, on his way from New Mexico to San Antonio to join the Confederate army, stopped at Hart's Mill. Because of the anxiety of the Confederate leaders, who feared an attack from Fort Fillmore, he promised to hurry the coming of the Texan force then on its way to El Paso. At the same time, he advised Colonel W. W. Loring, late commander of the Department of New Mexico, also on his way South, to delay his departure from Fort Fillmore for a week or two to render the position of the Confederates at El Paso more secure. Sibley added the further advice that if Loving should be relieved of his command too soon to prevent his successor from attempting

to recapture the stores at Fort Bliss to send a special messenger to Hart to warn the Confederates at El Paso. Sibley's letter to Loring closes with an intriguing sentence, "Movements are in contemplation from this direction which I am not at liberty to disclose." Apparently he refers to a raid which was made on Fort Fillmore in which forty-one horses were stolen. The authorities in Texas disclaimed any responsibility for the affair and Magoffin offered a reward; but Union officers in New Mexico believed that these actions were only blinds, that the horses had been stolen to mount the Texas troops then on the way to Fort Bliss, and that similar thefts would be undertaken. It was said that attempts were being made to win over the rank and file of the New Mexican garrison by Hart, who was trying to buy their allegiance with gold.[10]

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[10] Sibley to Loring, June 12, 1861, in Ibid., IV, 55-56. Anderson to Lynde, June 30, 1861, in Ibid., IV, 50-51. Mills to Watts, June 23, 1861, in Ibid., IV, 57.

Meanwhile a Confederate force was on its way from Texas to New Mexico. The Second Texas Mounted Rifles, organized by Colonel John S. Ford, was mustered into service

during the latter part of May. On the first of June six of its companies, under the command of Major Edwin Waller, were sent to western Texas to preserve Confederate communications with New Mexico. About the time this battalion reached the head of Devil's River, Major Waller got word, probably from Sibley, that the stores at Fort Bliss were in danger of being recaptured by the Union troops at Fort Fillmore, therefore the movements of the force were speeded up. For several days the whole body advanced on a foreed march. Then a detachment of seventy-five of the best mounted men was sent ahead. This little force had to undergo many hardships, for their provisions soon began to fail and also their horses. Almost everyone in the company made part of the march on foot, some from Fort Quitman or beyond. At Fort Quitman a supply of wormy crackers was gratefully seized. The first of the Texan forces reached Fort Bliss July 4, 1861; the remainder, with Lieutenant-Colonel John R. Baylor, arrived a few days later. Three of the six companies which had started out under Major Waller were left at different stations on the way; three were brought to Fort Bliss. To these were added later a company of artillery and two companies of volunteers, organized in the district.[11]

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11 W. G. Wooten, Comprehensive History of Texas, II, 609-610.

Smith to Secretary of War, April 20, 1866, in Rebellion Records, Ser. I, I, 628.

Joyce to Editor, Galveston Christian Advocate, July 6, 1861, quoted in Texas Republican (Marshall) Aug. 17, 1861.

Immediately after his arrival Baylor assumed command at Fort Bliss and took charge of all the government property. Before the battalion had left San Antonio Van Dorn had suggested the possibility of capturing the United States troops in southern New Mexico, and added that, if the attempt were made, it should be a surprise in order to prevent the retreat of the Union force. Whether this suggestion was passed on to Baylor is a question. In his own report Baylor says that he decided to attack the Federals in detail because he had learned of the intended concentration of a strong Federal force at Fort Fillmore and knew that if it were permitted his own position would be untenable. July 14, a descent on Fort Bliss was expected and a detail was ordered to hold itself in readiness for immediate march, probably to check any advance from New Mexico. The day before a deserting captain from Fort Fillmore had come in; it is possible that he had brought news which led

to the order. Subsequently Waller was sent to reconoiter. His report satisfied Baylor that it would be easily possible by night to secure a position between Fort Fillmore and the Rio Grande, about a mile distant, which would enable the Confederates to cut off the horses belonging to the garrison as they went to water. In this manner an engagement could be forced with the Texans in a strong position and the Federals outside the protection of their fort. With this purpose in view, Baylor left Fort Bliss on the night of June 23, with 258 men. The next night he occupied a strong position on the river within six hundred yards of Fort Fillmore. Unfortunately for his plan, a deserter reported his numbers and position to the Union commander. The beating of the long roll informed him that the Federals knew of his approach. His plan of a surprise attack on Fort Fillmore balked, Baylor, on June 25, decided to occupy Mesilla, which could be easily held and would afford its holder the control of the surrounding country. He reached Mesilla sometime in the afternoon and soon after was told of the Federal approach.[12]

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[12] Baylor to T. A. Washington, Sept. 21, 1861, in Rebellion Records, Ser. I, IV, 17-18.
Van Dorn to Ford, May 27, 1861, in Ibid., I, 557.

Joyce to Hill, July 14, 1861. Texas Republican (Marshall), Aug. 17, 1861.

Before the events which led to the evacuation of Fort Fillmore and the capture of its garrison can be recounted, it is necessary to go back to the conditions in the fort during the spring and early summer of 1861. The atmosphere was uncomfortable as early as February. "There was an undercurrent of disquiet around us which was felt more than seen or heard, and there were plenty of men in the small towns, ready at a moment's notice, in case war was declared, to make a raid on Fort Fillmore, which, with its small garrison, could offer but little resistance." The order for the troops to take part in a campaign against the Mescalero Apaches in March was reluctantly obeyed, for "Everybody at the post knew there was far more danger from Texans than from Indians." At that time Lieutenant W. B. Lane was in command; before the middle of May he was superceded by Major Gabriel Paul, who, in turn was replaced by Major Isaac Lynde. At the beginning of the year Colonel W. W. Loring was in command of the Department of New Mexico. It is charged that he had been given this position to win over to the Confederate cause the troops stationed in the Territory. If so, he was not successful with the

enlisted men but he may have been instrumental in the disaffection of the many officers who "went South" from New Mexico. A number of these officers stopped at Fort Fillmore on their way to join the Confederate army; among them were Loring, Major James Longstreet, Colonel George B. Crittendon, Major (later General) H. H. Sibley and Joseph Wheeler. Wheeler had gone to Fort Fillmore with Lieutenant Lane in February, and was one of the two officers stationed at that fort to leave, although a number of those who were concentrated there in the spring sympathized with the Confederacy.[13]

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[13] Lane, I Married a Soldier, pp. 105-106, 111, 112. Maury to Paul, May 19, 1861, in Rebellion Records, Ser. I, I, 605. Lynde to Canby, July 7, 1861, in Ibid., IV, 58. H. Greely, The American Conflict, II, 19-20.

In May most of the regular Federal troops were ordered to leave New Mexico as soon as possible. June 16, Fort Fillmore was made the headquarters of the Seventh Infantry under the command of Major Isaac Lynde. At the same time measures were taken to hasten the movement of forces to that place because rumors of an invasion from Texas made it desirable that the fort be strong enough to resist attack. Lynde was ordered to concentrate there a force of sufficient

strength to defend it, to allow no stores of any kind to fall into Confederate hands if it were possible to destroy them, to keep himself informed of the troop movements at and below Fort Bliss and of the strength of the garrisons there and at Fort Quitman, to frustrate quietly but effectively any effort on the part of the inhabitants of the Mesilla Valley to endanger the safety of Fort Fillmore or to assist the Texans, to defeat efforts to secure desertions, to prevent the transfer of arms and ammunition, and finally to prevent the Collector of the Customs at Las Cruces, the before mentioned Samuel L. Jones, from surrendering Federal funds, as he had announced his intention of doing. Lynde was also given authority to organize two or more companies of volunteers from among the Unionists in the Mesilla Valley; Judge John S. Watts of Santa Fé, who was intimately acquainted with the people of the Mesilla Valley, was introduced to him to help him with the organization of the volunteer companies; and it was suggested to him that he might seize the stores at Fort Bliss before the arrival of the Confederate troops.[14]

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[14] Special Orders No. 86½, May 17, 1861, in Rebellion Records, Ser. I, I, 604. Canby to Assistant Adjutant General, June 6,

1861, in Ibid., IV, 16.
Anderson to Lynde, June 16, 1861, in Ibid., IV, 37-38.
Same to same, June 23, 1861, in Ibid., IV, 45-46.
Canby to Lynde, June 23, 1861, in Ibid., IV, 44-45.

By June 23 it was certain that Baylor's force was on its way to Fort Bliss, but it was felt that the defensive measures had established the security of the Mesilla Valley and perhaps made it possible for Lynde to reoccupy Fort Bliss. Repeated warnings were sent to Lynde of a hostile movement from Fort Bliss under the leadership of Magoffin, Hart and Crosby, of the complicity of Loving and Sibley in the designs, and the need for precautions. Lynde arrived at Fort Fillmore July 7, full of confidence in his ability to resist any attack which might be made and in the loyalty of his subordinate officers. At the same time he sounded a warning note concerning the location of the fort which was so situated as to be indefensible against artillery and to permit the approach under cover of one thousand men to within five hundred yards. Within a week he had seven companies of infantry and two of rifles under his command; and, in spite of the desertion of one of the officers, he seemed to think his position secure for he took no measures to strengthen it. On the night of July 19, an Apache raid

in the neighborhood of the fort resulted in the theft of two horses and two thousand sheep and the killing of two persons. Lynde refused to grant the request for men to pursue the Indians; this refusal may be an indication of some care for the strength of his garrison. Meanwhile scouting parties were being sent out and the hamlet of San Tomas, which commanded the road on the west side of the Rio Grande from El Paso to Mesilla, had been occupied in order to stop the ammunition which, according to rumor, was being sent from Fort Bliss to the disaffected town.[15]

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[15] Canby to Assistant Adjutant General, June 23, 1861, in Ibid., IV, 44.
Ibid., IV, 56-61, passim.
Lane, I Married a Soldier, p. 112.

Another phase of the situation at Fort Fillmore illustrates the feeling of the civilian population in the El Paso district. While the Confederate sympathizers at El Paso were laying plans for an attack on Fort Fillmore, W. W. Mills, whose Unionist sentiments have already been mentioned, was trying to incite an attack from New Mexico on Fort Bliss. On June 3 Mills sent word of the strength of the secessionist feeling among the officers at Fort Fillmore to Judge Watts at Santa Fé, who gave the letter

to Colonel E.R.S. Canby, then in command of the Department of New Mexico; because of this letter one of the warnings referred to above was sent to Lynde. July 1, Mills went to Fort Fillmore and there corrobated his belief concerning the weakness of that place. Thence he went to Santa Fé and made a verbal report to Canby of all that he had seen and heard. On his return he stopped again at Fort Fillmore and found the feeling against him bitter because of his reports. While there he urged Lynde to march on Fort Bliss and capture the Texans and the stores. Lynde promised to do so if Baylor's strength were not greater than the reported three hundred men. Mills undertook to find out. As he was on his way to Paso del Norte, whence he intended to watch Baylor's movements, he met a deserter from the Texan forces, whom he sent on to Fort Fillmore to report the numbers at Fort Bliss. While Mills was at Paso del Norte, several attempts were made to kidnap him. Finally he was captured and taken across the river to Fort Bliss. There he was put in irons and held in the guard house. After Lynde's surrender, he was offered his parole, and when he refused it, was given the liberty of the post. The latter part of August he escaped to Fort Craig, where he became an aide on the staff of the commanding officer, Colonel B. S. Roberts.

Mills charged that his capture was instigated by his own neighbors at El Paso.[16]

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[16] Mills, Forty Years at El Paso, pp. 39-55. Mills was seized in Paso del Norte by Albrecht Kuhn, who had come to New Mexico as a corporal in the Third Infantry, with which he served in expeditions against the Copper Mine [Gila] Apaches in 1852.--Deed Record B, p. 93.

Apparently the first real news which Lynde had of Baylor's approach to Fort Fillmore was that brought by the Texan deserter the night of July 24. Fearing an attack, Lynde ordered the troops stationed at San Tomas to come in; thus the road to Mesilla was left open. He kept the garrison under arms until daybreak, when mounted parties were sent out to reconnoiter. One of these went to Mesilla and found everything quiet and the Confederate flag down; Baylor's force had not yet arrived. For some time Captain C. H. McNally and Dr. Cooper McKee, the post surgeon, had been urging Lynde to take Mesilla or at least permit the Confederate flag to be hauled down; twice the coveted permission had been granted only to be rescinded at the last moment through the influence of Lynde's adjutant, who thought it best not to bring on a clash with the Texans. It seems to have gone hard with McNally to stay quietly in camp during a large part of the twenty-fifth while the Texans were marching through

San Tomas, where they seized all the public and private property, and on to Mesilla. About half past four in the afternoon, Lynde started his command toward Mesilla. When he got to within two miles of the town, he sent forward his adjutant with a white flag to demand its surrender; the Confederates replied they would fight first and surrender afterward. After the exchange of a few shots, which resulted in eleven casualties for the Texans and three, including McNally, for the Federals, Lynde ordered a retreat. He was not followed, for Baylor believed the movement a feint to draw him into a trap, and held his position, expecting a renewal of the attack the next day. The Union troops got back to Fort Fillmore about ten o'clock and Lynde spent the night fearfully awaiting the approach of Baylor.[17]

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[17] McNally, "Statement" in Rebellion Records, Ser. I, IV, 13-14.
Baylor to T. A. Washington, Sept. 21, 1861, in Ibid., IV, 17-18.
Lynde to Headquarters, July 26, 1861, in Ibid., IV, 4-5.

The accounts of what happened on the twenty-sixth are conflicting. Lynde said that he fortified Fort Fillmore in expectation of attack. Dr. McKee stated that the morning

was passed in confusion and that no one really knew what was going on. About three o'clock in the afternoon the order to retreat was given, whereupon McKee destroyed as much of his government property as he could without a fire he was not permitted to use. Lynde decided to withdraw because word had come to him that Baylor would receive reinforcements of artillery that night, which he could not intercept without exposing the fort to attack in his absence, and ag against which it was indefensible. In this connection a statement made by McNally is noteworthy; it is that he and Dr. McKee had urged the removal of the garrison to Doña Ana, which could be held against a large force. A "queer story" is that "the commissary was ordered to roll out the whiskey, from which the men were allowed to fill their canteens and drink at discretion" and that "no water was furnished for the weary march before them."[18]

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[18] Greely, American Conflict, II, 20.

The garrison got under way about one o'clock the next morning. After the sun rose, the day became intensely hot and the distance to water at San Augustine Springs proved greater than had been anticipated. By the time the ascent to the San Augustine Pass was reached both men and

horses were suffering from thirst and many of the men had fallen out and were lying helpless along the road. Lynde pushed on with the mounted force to reach water and send it back to those in the rear, but was himself overcome and had to stay at the spring.

Meanwhile, early in the morning, the Texans had seen the dust of Lynde's retreat and started in pursuit. At the foot of the mountains Baylor came upon the Federal rear guard "composed chiefly of famished stragglers," who were disarmed and given water. About the time that Baylor's troops reached Lynde's rear guard, Captain Alfred Gibbs, who with a small force of cavalry, was taking some beef cattle to Fort Fillmore from Fort Craig, saw Baylor's approach. He went to warn Lynde and was ordered to use his own men and Lynde's rear guard to protect the passage over the mountains. Most of the infantry of Lynde's rear were lying by the roadside unable to rise or carry a musket. Gibbs, with seventy cavalrymen, made an unsuccessful attempt to save the cattle and the baggage wagons from the Texans. After this he retreated through the pass to the main camp on the east side of the mountains. About half an hour later Baylor arrived and Lynde, without consulting his officers, surrendered the whole force.

[19] The above account of the events of July 26 and 27 is summarized from Lynde to Acting Assistant Adjutant General, Aug. 8, 1861, in Ibid., IV, 5-6; Baylor to T. A. Washington, Sept. 21, 1861, in Ibid., IV, 18; Gibbs to Canby, Aug. 6, 1861, in Ibid., IV, 7-8; McKee's "Statement" in Ibid., IV, 12.

Lynde gave as his reason for the surrender the exhaustion of his men; his statement of their condition is amply corroborated. His subordinates protested against their surrender to a force which they outnumbered almost two to one. Baylor reported that his own force was less than two hundred and that Lynde's was about seven hundred; Lynde gave 492 as the number which he surrendered. Lynde complained that he was surrounded by open and secret enemies at Fort Fillmore and that disaffection prevailed among his own officers. His complaint seems to be justified in the case of his commissary officer, Lieutenant A. H. Plummer, who allowed $9,500 in United States drafts to fall into the hands of the Confederates.[20]

[20] Baylor to T. A. Washington, Sept. 21, 1861, in Ibid., IV, 18.
Lynde to Acting Assistant Adjutant General, Aug. 7, 1861, in Ibid., IV, 5-6.
Ibid., IV, 15, 19.
Baylor to Benjamin, Dec. 14, 1861, in Ibid., IV, 157.

The terms of the surrender provided for the treatment of Lynde's command as prisoners of war, the security of families from insult, respect for private property, parole of officers and their departure from New Mexico, and the disarming of the enlisted men, who were to be given the liberty of the post at Fort Bliss. The colors were not surrendered as they had been burned to prevent their falling into Confederate hands. Baylor held the whole force at San Augustine Springs two days to rest the men and await transportation. Then he marched to Las Cruces, where he paroled both officers and men, partly because he could not guard so many prisoners and intercept a force expected from Arizona, partly because he thought it would be harder on the Federals if they were put to the expense of supporting the prisoners.[21]

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[21] Ibid., IV, 7. Baylor to T. A. Washington, Sept. 21. 1861, in Ibid., IV, 19. Greeley, The American Conflict, II, 20.

In the reports of his subordinates there is either an undertone of censure or open denunciation of Lynde for his failure to take adequate measures to defend his post and his "base surrender." His conduct was made the subject of judicial investigation and by the President's order he was dismissed from the army as the only officer "involved

in the suspicion of complicity" and the only person on whom responsibility could rest. It is said that he was reinstated after the war.[22]

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[22] Thomas to Cameron, Dec. 11, 1861, in Rebellion Records, Ser. I, IV, 15.
Lane, I Married a Soldier, p. 123.

The surrender of Lynde, July 27, 1861, marks the climax of the Civil War in the El Paso district. Although the Confederates held the region for a year, there was no other clash of any importance between them and the Unionists. August first found Baylor at Mesilla where he issued a proclamation announcing the creation of the Territory of Arizona. The newly created territory comprised all that part of New Mexico south of thirty-four degrees north latitude. All previous civil and military offices were abolished; all existing laws consistent with the constitution and laws of the Confederacy were declared in force until changed by the Confederate Congress; a temporary military government was organized with executive power vested in the commanding officer of the Confederate army in the territory; two judicial districts were created; and Mesilla was made the seat of government, Then by virtue of his authority as

governor, Baylor appointed the following officers: Secretary, James A. Lucas; Attorney General, M. H. McWillie; Treasurer, E. Angerstein; Probate Judge of the First [eastern] District, Frank Higgins; and six justices of the peace, three at Mesilla, one each at Doña Ana, Pinos Altos and San Tomas. Later he extended the limits of the territory to thirty-six degrees, thirty-one minutes. The value of the mineral resources and the outlet to the Pacific which it afforded to the Confederacy made the acquisition of this territory a matter of importance.[23]

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[23] Rebellion Records, Ser. I, IV, 20-22. Baylor to Van Dorn, Aug. 14, 1861, in Ibid., IV, 61

Three of the men appointed to office by Baylor had previously lived in El Paso County; James A. Lucas, Henry L. Dexter, and Theodore. I. Miller. The last two were justices of the peace at Mesilla.

The first judge of the District Court of the First Judicial District was W. C. Cook, whose only official act seems to have been the appointment of Charles A. Hoppin as Clerk of the Court. Hoppin assisted Probate Judge Higgins in opening court, August 8, 1861. The court sat at intervals until the following May, when "in consideration of the disturbed condition of the County" it was adjourned until June 2, 1862. No court was held in June; in July, Judge

J. Peter Deus, who had succeeded Higgins in February, resigned. This last entry was made by Charles A. Hoppin. The next entry, dated April 8, 1863, shows the restoration of the authority of the United States Government. The District Court held its only term in November and December, 1861; with Judge S. Hare presiding; this was the only Confederate District Court that ever sat in New Mexico. The court records records indicate that a full quota of county officers was in existence.[24]

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[24] Tittman, "Confederate Courts in New Mexico", in New Mexico Historical Review, III, 347-356.

Granville H. Oury was admitted to the Confederate Congress as Territorial Delegate from Arizona January 18, 1862. About the same time, Baylor's action was confirmed by the Confederate Congress. An enabling act, approved by President Davis, January 18, was proclaimed in effect February 14. The act repeated the arrangements of Baylor's proclamation concerning boundaries and the capital, created three judicial districts, established slavery, defined the qualifications for suffrage, provided for a governor to be appointed by the president, a legislative assembly, and a territorial representative. Davis's nomination of Baylor as governor of Arizona was made March 13. Apparently the gov-

ernment was never fully organized. March 11, 1862, the second delegate from Arizona, M. H. McWillie, was admitted to the Confederate Congress; he served until the close of the war. Baylor's first act, after receiving his appointment, was to publish Davis's conscription proclamation; later in the spring of 1862 an attempt was made to impress all the white men in Arizona into service.[25]

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[25] Rebellion Records, Ser. I, IV, 853-859; L, Pt. I, 925. Chivington to Canby, June 11, 1862, in Ibid., IX, 677. Farish, History of Arizona, II, 94-97.

During the fall of 1861 Baylor continued to occupy the El Paso district with his headquarters at Mesilla. September 29 there was a skirmish between two small forces of Texans and Federals from Fort Craig. This was the last armed clash between Confederate and Union troops in the district. During the last three months of the year, Baylor was perturbed by the concentration of forces at Fort Craig, one hundred miles to the north, and rumors of an advance from California by way of Guaymas to Mesilla. Feeling himself too weak to hold his position if Canby should move on Doña Ana, he made preparations to retreat to Fort Quitman.[26]

[26] Rebellion Records, Ser. I, IV, 32, 127-149, passim; LIII, 716.

Meanwhile preparations were being made to launch an attack with a much larger force than Baylor's against the Federals in New Mexico. Because of his recent service there and his knowledge of the Mexican people, General H. H. Sibley was put in command and authorized to raise the necessary troops in Texas. This order was given early in July, but the raising and equipping of the brigade was slow and the first troops did not leave San Antonio until late in October. By mid December most or all of the command had reached Fort Bliss, where on December 14, 1861, Sibley assumed command of the "Army of New Mexico", composed of all the Confederate forces on the Rio Grande at or above Fort Quitman and in the Territory of New Mexico and Arizona. Martial law was established and Baylor was continued in office as governor.[27]

[27] Ibid., IV, 61, 107-108, 157-158, 159.

While Sibley's force was on the march, Crosby and Hart at El Paso were gathering supplies for his army.

Hart's mill was turning out flour for his use and arrangements were made for securing in Sonora those supplies which the district could not furnish. After Sibley's arrival, Crosby was made assistant quartermaster and receiver of the property to be confiscated in New Mexico. In spite of these preparations, Sibley's army was in a bad way; his men were poorly armed and thinly clad and almost destitute of blankets, with the coldest season of the year at hand. Smallpox and pneumonia were raging, necessitating a general hospital which was established at Doña Ana. There were no quartermaster's funds on hand and the small means of this sparse section had long since been consumed by Baylor's force. Confiscation and impressment were resorted to. Under the circumstances the best thing to do was to advance, so in February Sibley started for Fort Craig.[28]

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[28] Crosby to Sibley, Oct. 27, 1861, in Ibid., IV, 133.
Hart to Sibley, Oct. 27, 1861, in Ibid., IV, 134.
Unsigned enclosure in Canby to Adjutant General, Jan. 25, 1862, in Ibid., IV, 89.
Ibid., IX, 506-512.

As governor of the Territory of Arizona, Baylor stayed at Mesilla when Sibley's brigade went north. The Confederate invasion of New Mexico had ended the attempts

of the civil government to pacify the Indians, and the Apaches had renewed their depredations. Therefore it fell to Baylor to deal with them. He had been reared on the frontier and his policy was characteristic of the frontier attitude toward the savages. One of his first acts after reaching Fort Bliss was the making of a treaty with an Apache chief whom he had brought in the stage from Fort Davis for that purpose and whom he loaded with gifts and sent back the same way,--to no avail, for the rascal, after many protestations of friendship, stole two pistols before leaving the coach. In the fall of 1861, expeditions against the Indians were sent to the Fort Davis neighborhood, to the Jornada del Muerto, and to the mining district of Pinos Altos, all outside the El Paso region. The only raid made within the El Paso territory resulted in the theft of almost a hundred horses and mules from Sibley's men in December. Baylor went in pursuit of the marauders to Carretos (Corralitos?), killed the Indians, and recovered the animals.[29]

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[29] Ibid., IV, 33, 121; XV, 918; L, Pt. I, 1013.

The incident which caused Baylor's removal from his military command did not occur in the El Paso district, but the order was issued from Mesilla. Learning that the

Indians were coming into the camp of Captain Helms of the Arizona Guards and acting under the belief that the Confederate Congress had passed an act providing for the extermination of hostile Indians, Baylor ordered Helms to

> "use all means to persuade the Apaches or any tribe to come in for the purpose of making peace, and when you get them together kill all the grown Indians and take the children prisoners and sell them to defray the expense of killing the Indians. Buy whiskey and such other goods as may be necessary for the Indians and I will order vouchers given to cover the amount expended. Leave nothing undone to insure success and have a sufficient number of men around to allow no Indian to escape. Say nothing of your orders until the time arrives, and be cautious how you let the Mexicans know it. If you can't trust them, send to Captain Aycock, at this place, and he will send 30 men from his company--but use the Mexicans if they can be trusted, as bringing troops from here might excite suspicion with the Indians. To your judgment I entrust this matter and look to you for success against these cursed pests who have already murdered over 100 men in this territory.[30]

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[30] Baylor to Helms, March 20, 1862, in Ibid., L, Pt. I, 942.

Apparently as a result of this order, a number of Indians were killed with poisoned provisions. When the order became known at Richmond, McWillie pleaded Baylor's cause on the grounds that the Indians were actually exterminating the whites and that the enslavement of the children was in line with custom in New Mexico. Nevertheless Baylor's com-

mission was taken away from him but not his office as governor. However these acts with respect to him took place after the withdrawal of the Texans from the El Paso district.[31]

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[31] Ibid., XV, 857, 940-942.
Farish, History of Arizona, II, 86-87, 152.

Concerning the relationships between the invading Texans and the Mexican population of the El Paso district little is known and that little does not redound to the credit of the Confederates. By their actions they not only lost the opportunity of securing the good will of the majority of the population but added to the hardships of their subsequent retreat. At the beginning of the conflict the Mexicans had little interest in the controversy although in the El Paso County, influenced by the Americans, they voted for secession. In November Baylor, writing from the Mesilla Valley, where the bulk of the English-speaking population was strongly Confederate, reported the northern sympathies of the Mexicans and the need of a strong force to prevent them from attacking the Confederates or joining the enemy. This hostility might be accounted for by the inpressment of military supplies were there not evidence of outrages by the men under both Baylor and Sibley.[32] It was a member

[32] Baylor to Sibley, Oct. 25, 1861, in Rebellion Records, Ser. I, IV, 132-133.
Robertson to Wright, Apr. 18, 1862, in Ibid., L, Pt. I, 1012-1013.
Mills, Forty Years at El Paso, p. 38.

of Sibley's brigade who furnished the most evidence. After telling how the men pastured their horses in the wheat fields of the Mexicans, against orders, of course, but with only nominal punishment and no recompense to the owner, he adds,

> "The sense of wrong remained, and many a poor fellow fell victim to revengeful feelings. In many other ways, also, the men antagonized the citizens. When the weather turned cold, it was much more comfortable to sleep in a warm adobe house than in a tent (by the way, very few had tents). The owners rather objected to being crowded into one room, or being driven out altogether. This with the appropriations of their donkeys and very often their wives and daughters (always however with the women's consent) worked up feelings of hostility that made it a sad state of affairs for many of us, when as fugitives we were leaving the country a few months later.[33]

[33] H. C. Wright, Reminiscences, Ms. in the University of Texas Library, pp. 7-8.

The operations of the Confederates in northern New Mexico and the reasons for their withdrawal have no place in this account. Early in May, 1862, less than one half of the force, which three months earlier had left so confidently, came straggling back to the El Paso district,

exhausted and half-starved, destitute of clothing, ammunition, and transportation. Sibley made his headquarters at Fort Bliss; Colonel William Steele, with three or four hundred men, was left at Doña Ana to cover the retreat. Between those two points little parties of fifteen to twenty Texans were scattered along the road, taking every animal they could find, selling their guns in their desperate need for food, committing outrages upon the inhabitants, and were in turn harried by the Mexicans. About the first of June the retreat was resumed and the rear guard moved from Doña Ana down to Fort Fillmore. This last move was made because supplies were running low and when impressment was resorted to the angry people rose and killed an officer and several men. Shortly after the decision to withdraw was made, Steele received information that the advance guard of a Federal force from California was near the Rio Grande. Their arrival would make his position untenable. He quickly left the Mesilla Valley and went to Fort Bliss; in order to secure money and food he sold all the Government property he could. The money was turned over to the doctor in charge of the hospital in which some twenty sick and wounded men were left. Fort Bliss was almost destroyed, all the doors, windows and removable timbers being carried off. Early in

July, Steele and the rear guard left Fort Bliss, sorely pressed for food and transportation.

The withdrawal of the Confederates cannot be called an orderly retreat. The men suffered from sickness and heat and many fell by the way long before Fort Quitman was reached. A battery of artillery, believed to be that captured from the Federals at Valverde, was taken from them about thirty miles below El Paso by the people, fifteen hundred of whom were said to be hovering around the line of march. The men advanced in little groups and were followed by stragglers, making their way as best they could. At the same time, many of the civilian population left also, some for San Antonio, among whom were Hart and Magoffin; others sought safety across the Rio Grande.[34]

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[34] Ibid., IX, 678, 687, 763, 722; XV, 894; XLVIII, 1233, L, Pt. I, 89.

Wright, Reminiscences, Ms. in the University of Texas Library, pp. 32-34.

T. Noel, A Campaign from Sante Fé to the Mississippi, pp. 30-34.

Nothing is known of the activities of James Wiley Magoffin beyond the fact that his name appears on the list of Representatives in the State Legislature in 1863 and 1864.--Texas Almanac, 1864, p. 28; 1865, p. 39. It seems that he lived at San Antonio until his death, Sept. 27, 1868. His two sons served with the Confederate army; Samuel was killed; Joseph returned to El Paso after the war. Simeon Hart became a purchasing agent for the Confederate government in Mexico.--Rebellion Records, Ser. I, XV, 866. It is said

that Josiah F. Crosby became a "gallant officer on the staff of General Kirby Smith." His name appears as Judge of the Eleventh Judicial District until 1865.--El Paso Times, Mid-summer Trade Edition, Aug. 1887; Texas Almanac, 1862, p. 39; 1863, p. 36; 1864, p. 64; 1865, p. 35.

The first period of the Civil War in the El Paso district ends with the retreat of the Texans. Following close on their heels came the "California Column", to find the region as bare as if a swarm of locusts had passed over it and the upper part of the Mesilla Valley under water. While many of the Confederate sympathizers had withdrawn, some remained, among them Samuel L. Jones, who made himself so obnoxious at Mesilla that he was arrested weekly after that place was occupied by the Federals. Throughout 1862 Paso del Norte was the headquarters of a group of secessionists whose threats against El Paso caused some uneasiness. In spite of their hostility toward the Confederates, the attitude of the Mexican population seems to have remained the apathetic loyalty of the preceeding year.[35]

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[35] Connelley to Canby, June 15, 1862, in Rebellion Records, Ser. I, L, Pt. I, 1141.
Eyre to Cutler, July 6, 1862, in Ibid., IX, 590-591.
West to Cutler, Nov. 5, 1862, in Ibid., L, Pt. II, 212, 215.
Pettis, Frontier Service, p. 34.

The so-called California Column, which occupied

the El Paso district from midsummer of 1862 to the close of the war, was a volunteer force from California, composed of two regiments of infantry and five companies of cavalry, augmented by a battery of light artillery from the regular army, under the command of General James H. Carleton. When the rumor came that Van Dorn was preparing an expedition against California by way of Arizona, it was decided to send this force to Arizona to drive out the Confederates, to guard against any invasion of the Pacific coast from that direction, and to aid in expelling the Texans from New Mexico. Owing to the severity of the winter of 1861-1862, the force was not able to start as early as had been planned. As the Californians advanced, the Texans fell back; they occupied Tucson in June, 1862. The advance detachment, under Colonel Edward E. Eyre, reached the Rio Grande July 4. Steele and the Confederate rear guard were still in the Mesilla Valley. Eyre wanted to cut off their retreat, but he was delayed by orders from Fort Craig and had to forego the opportunity to capture the Confederate troops and supplies at Fort Bliss. About the twentieth of July he occupied Las Cruces where his command found quarters in "unoccupied houses belonging to notorious secessionists." There he awaited the arrival of the main body of the California Column.[36]

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36 Rebellion Records, Ser. I, IX, 594-603. Eyre to Cutler, Aug. 30, 1862, in Ibid., IX, 592-593.

General Carleton, with the main body of his command, reached the Rio Grande August 7, 1862. Three days later he arrived at Las Cruces to find that Eyre "hampered as he was by orders, . . . never the less (had) managed to hoist the Stars and Stripes upon Fort Thorn, Fort Fillmore, Mesilla and Fort Bliss." At this time, in addition to four companies of infantry sent down from Fort Craig, Carleton had a fighting force of 1,273 men, of whom 350 were cavalry. August 16, with three companies of cavalry, he started for Fort Bliss. At El Paso he found the sick and disabled Texans left behind by the retreating Confederates and twelve wagon loads of hospital and quartermaster supplies. The supplies were sent to Mesilla. The Texans were made prisoners of war and, at their earnest request, were paroled, and sent with supplies and an escort to protect them against attack to the region of San Antonio and their own people. Then Carleton proceeded down to Fort Quitman where the flag was raised by Captain John C. Cremony; from there he sent Captain E. D. Shirland to perform a like service at Fort Davis. This expedition was undertaken to restore the confidence of the

people, who, when they were treated kindly and were paid a fair price for supplies, expressed so much pleasure at being under the protection of the United States and abhorrence of the Confederacy that Carleton was convinced of their loyalty.[37]

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[37] Ibid., IX, 565-568, 581; L, Pt. I, 95, 100-101.

Shortly after his return to Las Cruces, on September 5, 1862, Carleton issued an order to the effect that all of New Mexico south and east of Fort Thorn and northwestern Texas (to Fort Quitman) were included in the Territory of Arizona as it had been created by Congress; at the same time he placed the district under martial law. The same day he turned over the command of the District of Arizona to Colonel (later General) Joseph R. West, though retaining that of the California Column. Thereupon he went to Santa Fe to supercede Canby as commander of the Department of New Mexico, which position he held until the close of the war.[38]

[38] Ibid., IX, 582, 695; L, Pt. I, 96, 115-116.

Except to the inhabitants, nothing of importance occurred after the occupation of the El Paso district by the Federal troops. Routine matters of troop disposition bulk large in the reports. Soon after the arrival of the California Column it was ordered to maintain headquarters in the Mesilla Valley until the reoccupation of the country and the restoration of order was secured. Carleton occupied Fort Fillmore, placing his artillery and cavalry and most of the wagons and teams there because the grazing was so good and the supply of mesquite beans so plentiful as to obviate the purchase of much forage. Five weeks later its abandonment was suggested and November, 1862, the t troops were withdrawn. January 30, 1863, it was ordered dismantled of all usable timber. That fort was never rebuilt. Meanwhile, because it had a building suitable for the purpose, Mesilla was made the supply depot, and after the abandonment of Fort Fillmore, the hospital seems to have been established there also.

In October, 1862, a detachment of cavalry was sent to San Elizario to watch for the possible approach of the Confederates; it was withdrawn in January. This camp was the outpost of the Federal forces on the east, for while Fort Quitman was included within the district under their control, no attempt to occupy it seems to have been made. In November the artillery and a cavalry company were taken from West who felt that his forces were greatly weakened thereby.[39]

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[39] Ibid., IX, 580, 683; L, Pt. I, 110-111; Pt. II, 133, 155, 157, 158.
Special Orders No. 7, Headquarters, District of Arizona, Jan. 30, 1863, copy in possession of the writer.

Shortly after Carleton's arrival in the district troops were stationed at Franklin, as the name generally appears on the orders, and at Hart's Mill. In the spring of 1863, the latter place was made headquarters of the district, because of the more healthful climate, the greater ease with which the morals of the troops could be maintained, and the decreased expense to the Government. As Franklin had less than one hundred inhabitants, the sale of liquor could be entirely prohibited, and the visiting

across the Rio Grande controlled. Buildings owned by absent Confederates could be occupied without payment of rent, and forage was cheaper at Franklin than at Mesilla. Mesilla was abandoned the middle of March; most of the troops were stationed at Las Cruces and Franklin until September, when Mesilla was reoccupied to be held until January, 1864. After that date its name does not appear on the returns; Las Cruces and Franklin had the only garrisons in the El Paso district until Fort Selden was established.[40]

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[40] Rebellion Records, Ser. I, XXVI, 827-828, 901; XXXIV, Pt. II, 209-210, 810; XLVIII, Pt. I, 703, 1043, 1044, 1309; XLVIII, Pt. II, 713; L, Pt. II, 329-330, 351-352, 620

In January, 1864, probably because of his "flagrant and criminal neglect" in the matter of getting supplies for the posts in Arizona, West was succeeded in the command of the District of Arizona by General George W. Bowie. Sometime during the year, perhaps in connection with another scare from the bogey of a Texan invasion, the outpost at San Elizario was reestablished. In April, 1865, Fort Selden, on the Rio Grande above Doña Ana, was established "to provide for the better protection of the Mesilla Valley and lessen the perils of the Jornada del Muerto". Thereafter, Las Cruces seems to have been practically abandoned by the

military forces. Except for some bare figures which indicate that troops were being withdrawn from the district, and that those remaining were stationed at Franklin and Fort Selden, no information is available concerning the disposition of the Union forces when the war came to an end.[41]

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[41] Ibid., XXXIV, Pt. II, 210, 674-676.
Ibid., XLVIII, Pt. II, 203.

Troop movements and the posting of garrisons during the time between the withdrawal of the Texans and the close of the war were connected with the actual danger from Indians and the expected attack from the Confederates. At the time the second seemed the greater danger, for the El Paso Valley was one of the two probable routes by which New Mexico might be entered from Texas. In the fall of 1862, there was real ground for apprehension for the Confederate government was taking steps to recover the lost territory. Several regiments were raised by Baylor for the purpose, but were sent to meet the Union forces threatening eastern Texas; thereupon Spruce M. Baird was authorized to raise a regiment to be used against the Southwest. Meanwhile the Federals in New Mexico were asking for reinforcements and

plans were made for meeting the expected attack. These plans provided for resistance as long as possible and the removal or destruction of all supplies and property in case of retreat. By February 1, 1863, both Carleton and West had come to the conclusion that there was no reason to fear an invasion from Texas, at least not on any great scale.[42]

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[42] Magruder to Cooper, June 8, 1863, in Ibid., XXVI, Pt. II, 57-58.
Ibid., XV, 599.
Carleton to West, Nov. 18, 1862, in Ibid., XV, 599-601.
Carleton to Wright, Nov. 18, 1862, in Ibid., XV, 602.
Canby to Thomas, Feb. 1, 1863, in Ibid., XV, 669-670.
West to Cutler, Dec. 28, 1862, in Ibid., L, Pt. II, 266.

In truth, all real danger of Confederate invasion of the El Paso district came to an end with 1862. However, in the spring of 1863 another alarm was caused by the arrival of Confederate forces at Fort Davis. West suggested, as a counter blow, the seizure of the Fort Davis-Presidio road in order to stop the importation of Confederate supplies over that route. His suggestion seems to have borne fruit; in the following spring the Federal forces in New Mexico were ordered to send an expedition down the Rio Grande to cooperate with the forces on the lower river in cutting off

the cotton trade through EaglesBass. Curiously enough, the last threat against Federal control of the El Paso district occurred at the very time the Confederacy was engaged in its final struggle. In the winter of 1864-1865, Baylor, then a member of the Confederate Congress, was urging the reoccupation of New Mexico and Arizona. In the spring of 1865, Spruce M. Baird was raising a battalion of Confederate troops for a marauding expedition to the El Paso district. Such a bushwacking raid seemed perfectly probable, even after the surrender of Lee; therefore, throughout May spies were kept in the field to discover and disarm any suspicious persons and preparations were made to resist if such a force should appear.[43]

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[43] Ibid., XXXIV, Pt. II, 671-673; XLVIII, Pt. II, 374-377; 390; L, Pt.II, 377, 421.
Farish, History of Arizona, II, 99.

After Carleton became commander of the Department of New Mexico, most of his energy was devoted to the subjugation of the Indians. In September, 1862, he inaugurated a campaign against the Mescalero Apaches in which troops from Mesilla took an active, though not very successful, part. Two expeditions to cooperate with Colonel Christopher Carson were sent out, one to operate in the Sacramento

Mountains east and south of Dog Canyon, "that noted haunt of the Mescaleros", the other to made Hueco Tanks its base of operations. The minute details of the orders and the frequency with which the expeditions are mentioned in the orders indicate their importance. One of the forces surprised two parties of Apaches in the Sacramento Mountains without capturing or killing any; the other did not even see an Indian. In 1863, expeditions were sent against the Gila Apaches and up the Rio Grande to intercept a band of Navajoes with a large herd of stolen sheep. In April, 1864, all the forces in the District of Arizona were ordered to prepare for the resumption in May of operations against the Apaches. In the summer of 1865, a large part of the troops from the El Paso district were ordered to pursue and capture the Indians who had run away from the reservation at the Bosque Redondo, on the Pecos River.[44]

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[44] Rebellion Records, Ser. I, XV, 580; L, Pt. II, 267, 281, 338-339, 503, 820; XLVIII, Pt. II, 953.

Few Indian depredations occurred within the El Paso district. Two persons were murdered in September, 1862, near San Elizario, at that time an exposed point where the Apaches were troublesome. In 1863 the Indians seem to have been very active north and west of the Me-

silla Valley in the Mimbres region. Much of West's correspondence has to do with them, but there is little or nothing to indicate that any raids or outrages occurred in the Mesilla and El Paso Valleys. The same thing is true of the following year. Apparently these regions were too thickly populated and held too many soldiers for the Indians, who preferred more remote districts and isolated settlements.[45]

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[45] Ibid., XXV, 23-32; L, Pt. II, 109; XLVIII, Pt. I, 899-909.

Something remains to be said concerning the economic condition of the district between 1862 and 1865. The wheat crop, because of the damage done by Sibley's men and the floods of the Rio Grande, must have been practically a total failure in 1862. The retreating Confederates swept the countryside bare of provisions, famine was predicted for the people of the Mesilla Valley, and the Union army seems to have drawn all its supplies from California or Fort Craig. The next year the occupation of all lands abandoned by those who fled from fear of another Confederate invasion was authorized. This occupation was solely for the purpose of cultivation and was to last for one year only. Early summer rains promised a bountiful harvest and good grazing, and there is reason to believe that

the promise was fulfilled. The evidence for 1864 is inconclusive; there is reason for belief that in 1865 many of the inhabitants were suffering for lack of food.[46]

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[46] Ibid., IX, 585, 678; L, Pt. II, 132-133, 156-157, 874; XXVI, 629; XLVIII, Pt. II, 739-740.

The Southern Overland Mail route was reopened as the California Column advanced from the west; after the Mesilla Valley was occupied, Carleton suggested running the mail from Independence or Leavenworth to Santa Fé, thence over the Southern Overland route to Los Angeles. His suggestion seems to have been carried out. In the spring of 1865 difficulties developed which threatened the closing of the line; but there is no evidence that the route was abandoned as a mail line.[47]

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[47] Ibid., L, Pt. I, 103; Pt. II, 181, 343.

When the Confederates retreated from the El Paso district in 1862, El Paso was almost depopulated because of the withdrawal of the pro-Southern civilian population. A large number of the refugees went across the Rio Grande to Paso del Norte where, it seems, they were joined by others of like mind from the Mesilla Valley. There, throughout

1862 and 1863, they constituted a thorn in the side of the Union forces, on whom they spied and against whom they plotted. On several occasions rumors of projected raids created excitement in civilian and military circles on both sides of the river for it was believed that the secessionists in Paso del Norte would join the invaders. The presence there of Henry Skillman and a handful of armed men strengthened the fear of another invasion from Texas. In January, 1863, Major David Ferguson was sent to Chihuahua by the Union authorities. One purpose of his mission was to confer with the governor concerning the activities of the "rebels" at Paso del Norte and the violation of Mexico's neutrality by the passage of Henry Skillman and fifteen armed men through northern Chihuahua from Presidio to Paso del Norte. Governor Terrazas promised that such actions would be stopped. It seems that his promise was kept, for references to the activities of the secessionists across the river from Franklin cease with the summer of 1863.[48]

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[48] Ibid., XV, 598, 606-607, 635-636, 674, 708-709; L, Pt. II, 215, 245, 425-426.

Very little is known concerning the activities of the civilian population during the last years of the war. Military records are the main source of information and

their silence on the subject indicates that the attitude and activities of the people were not of a nature to threaten the security of the troops or to cause alarm. There is evidence that order was preserved along the frontier more effectively than before the war and that the border raids of former years were stopped.[49]

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[49] Creel to Carleton, Nov. 16, 1863, in Ibid., XXVI, 917.
Pettis, "Frontier Service", in Personal Narratives of the War of the Rebellion, 3 Series, No. 14, pp. 34-38.

The advent of peace was marked by the formal announcement of the surrender of Petersburg and Richmond, in celebration of which all the soldiers under sentence or in the guard house were pardoned and a national salute was ordered to be fired at each post having artillery.[50]

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[50] General Orders No. 11, Santa Fé, Apr. 24, 1865, in Rebellion Records, Ser. I, XLVIII, Pt. II, 186.
It is, perhaps, unnecessary to add that all this marching and countermarching up and down the El Paso district had not the slightest effect on the final outcome of the war; it is idle to speculate on what might have happened if Confederate sympathy in New Mexico and Confederate resources throughout the South had been greater than they were. Except in the cases of individuals who lost their property or lives, it is difficult to see that the war had any great effect on the district or its development. A few of the Confederate sympathizers who left in 1861 and 1862 did not return; a number of ex-Union soldiers stayed or came back. An estimate of the population of El Paso County in 1867 is slightly larger than one made ten years earlier.

CHAPTER V

CIVIL DISORDER AND POLITICAL STRIFE

Reconstruction in the El Paso district was formally inaugurated by the following order:

Headquarters, Fort Bliss, Texas,
January 5, 1866.

Special Orders No. 4

Henry Warren of Franklin, Texas, is hereby appointed County Clerk and Recorder of Deeds for the County of El Paso, Texas, to fill the vacancy existing. Upon giving Bonds in the Sum of Five hundred dollars ($500.00) with two good and sufficient sureties to be approved by the Post Commander, and taking the oath of Office he will enter upon the discharge of his duties.

By order of Capt. Brotherton
Mason Howard
1st Lieut., 5th Infantry,
Post Adjutant.[1]

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[1] Deed Record C. This order appears on the inside cover. The following 250 or more pages are devoted largely to the records of the public sale of property confiscated from Confederate sympathizers.

The confiscation of property in El Paso County was begun September 23, 1865, when Theodore D. Wheaton, the United States District Attorney for the Territory of New Mexico,

brought suit in the Third Judicial District Court of New Mexico, for the condenmation of property of certain individuals "supposed to be in armed rebellion against the Government of the United States and in all respects aiding and abetting said rebellion." The presiding judge, Joab Houghton, ordered the United States marshall to attach the real estate described in the declaration, and to give notice to the "owners or persons having anything to say why it should not be condemned" to appear before the court on November 6, 1865. The marshall, Abraham Cutler, seized the property, advertised it for sale for two weeks in Franklin, San Elizario, Las Cruces and Mesilla, and sold it at public auction on the plaza at Franklin. The marshall's sales appear to have been held December 18, 19, and 20, 1865. Among the chief sufferers from these irregualr proceedings were James Wiley Magoffin, Josiah F. Crosby, Henry S. Gillett, John S. Gillett, Simeon Hart, Aungus B. O'Bannon, Horace Stephenson, George H. Giddings, Jarvis Hubbell, Archibald C. Hyde, John L. McCarty, and Lewis Dutton. The real property confiscated extended from the Canutillo grant above El Paso to Fort Quitman; it included Magoffinsville, Hart's Mill, and a large part of the town site of El Paso. Among those who hoped to profit from these sales were a few old

residents of the district and a number of newcomers, including, it would appear, the marshall himself. Among the purchasers are found the names of John F. Stone, frequently in conjunction with that of Carrie F. Cutler, Henry J. Cuniffe, W. W. Mills, Albert H. French, William P. Bacon, Nathan Webb, George Kholhous, Charles E. Ellis, Henry Warren, and Louis Cardis. The prices were absurd in many cases. Stone paid $30 for 320 acres of valley land just below Franklin, of which he sold an undivided half for $120 on the very day of his purchase; a half interest in the land on which Fort Bliss was located sold for $4000; Hart's Mill, with its "Flouring Mill, Dwelling Houses, Corrals, ranch Houses, Stables and other Buildings thereon" was sold for $3000; lots in Franklin sold for as little as $3.06¼. These prices would not be so damning were there not records of prompt resale at much higher figures.[2]

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[2] Deed Record C, pp. 1-256.

In New Mexico proceedings began in the fall of 1862, probably at the instigation of Abraham Cutler. Among the residents of Doña Ana County whose property was seized were James A. Lucas, and Roy and Samuel G. Bean; Hugh Stephenson's

property in the Brazito tract and his mines in the Organ Mountains were confiscated. The property of Mexicans who had supported the Union was seized also.[3]

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[3] E. D. Tittman, "The Exploitation of Treason," in New Mexico Historical Review, IV, 137-141.

In New Mexico, Joab Houghton's successor, Judge Kirby Benedict, ordered the filing of new papers in the confiscation cases, which were finally dismissed before the question of the Texas lands was settled. Hart, Crosby, and the Gilletts brought suit for the recovery of their property on the grounds that the district court which condemned it lacked jurisdiction. The contention was sustained by the highest territorial court in New Mexico and finally by the Supreme Court of the United States on March 30, 1868. It appears that the Magoffin property was not recovered by its rightful owners until 1873, although James Wiley Magoffin is said to have been pardoned before his death by President Johnson. Whether all the confiscated land was restored to its ante-bellum owners is not clear.[4]

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[4] Ibid., 141-143.
6 Wallace, pp. 770-773.
El Paso Times, Midsummer Trade Edition, August, 1887.

Cutler was indicted for embezzlement in 1866; about the same time he was ordered to make return under oath of his proceedings as marshall in the confiscation cases; his report showed that he had collected from the estates of Confederate sympathizers $52,065.85, of which Cutler as marshall had paid to Cutler "as Captor and Informant" $13,047.07 and that the sums collected lacked $571.92 of paying the costs and fees. In October, 1867, he was finally brought to trial with Stephen B. Elkins as prosecutor; a native jury brought in a verdict of not guilty. -- Tittman, "The Exploitation of Treason" in New Mexico Historical Review, IV, 142-145.

Another phase of Reconstruction in El Paso County has to do with the local government. There is no evidence of the existence of any governmental organization from the time of the withdrawal of the Confederate troops until Captain David H. Brotherton, commanding at Fort Bliss, made the appointment already mentioned. During that year, the following officers were chosen: County judge, Albert H. French; county clerk, J. M. Lujan; district clerk, Maximo Aranda; sheriff, Thomas Allen; tax assessor and collector, Charles E. Ellis; county surveyor, A. J. Fountain. Two years later the names of the following county commissioners are reported: J. S. Schultz (Joseph Schutz?), Jose Maria Gonzales, Julian Arias, and Gregorio Garcia. With the possible exception of Schultz, all the American names in this list are new in El Paso County records. These men appear to have held office until the Constitution of 1869 was put into effect. Henry

Warren, another whose name was new, sat in the Eleventh Legislature for the Thirty-third Senatorial District and Gregorio N. Garcia represented the county in the House of Representatives. The Eleventh Judicial District had been abolished, and El Paso and Presidio Counties joined with nine others to form the new Fourth Judicial District, whose judge and attorney were not residents of this thinly populated and distant section.[5]

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[5] Texas Almanac, 1857, pp. 72, 73, 214, 241, 242, 238; 1869, p. 194.

Albert H. French was a Bostonian, who came to the El Paso district with the California Column; he led the scouting party which was sent to put an end to Henry Skillman's activities and was responsible for Skillman's death. He secured an interest in the Concordia Ranch in 1866 and married a daughter of Hugh Stephenson. In 1876 he was adjudged insane and committed to the Insane Asylum at Austin. -- Mills, Forty Years at El Paso, p. 83; Deed Record C, pp. 274, 306-307; Ms. Minute Book, pp. 153-160. (This is an unbound, unnumbered book of minutes of the Police Court of El Paso County; pages 1 to 23 and 45 and 46 are missing; the minutes run from February, 1868 to March 21, 1877 on pages 23 to 165; and from August 2, 1869 to April 5, 1870 on pages 204 to 210. This book is not filed with the Commissioners Minutes, Vol. I of which begins with a "Special Term", September 18, 1876.)

Albert J. Fountain was born October 23, 1838 on Staten Island, New York, of Huguenot and colonial ancestry. He received his schooling in the New York public schools and at Columbia College. After an adventurous trip to Europe and Asia while still a youth, he arrived at San Francisco, where he did newspaper work; he was sent to Nicaragua to cover the Walker expedition and narrowly escaped execution; in disguise, he made his way back to San Francisco. There he studied law and had just been admitted to the bar when the Civil War broke out. He enlisted, was made first lieutenant of his company, and came with the California Column to the El Paso district. He was mustered out of service in August, 1864. Shortly after he was appointed a captain of cavalry and authorized to re-

cruit a company of guides and scouts to aid the regulars against the Indians. Early in 1865 he was wounded and sent to El Paso to recover; he stayed there, holding various offices and taking an active part in politics until 1874. -- Anon., Illustrated History of New Mexico, pp. 656-658; Fountain to Jones, March 4, 1878, Report of the Adjutant General for the Fiscal Year Ending August 31, 1878.

There is some evidence of a reorganization of the county government in 1868. Ysleta was the county seat from September, 1866 until August, 1868, when the county court ordered "that until further orders or the action of the Legislature" all county and district courts and offices should be located at San Elizario, beginning with the first Monday in October. No changes of officers appear; but a list of ordinances adopted at the August term of the Police Court, as it was commonly called, are numbered consecutively, beginning with one; these ordinances deal with such matters as the appointment of the County Attorney, M. A. Jones, the recording and auditing of county scrip, and the appropriation, from the first cash funds paid into the Treasury of $100 to provide books and stationery for the court. On June 7, 1869, C[aleb] B. Miller appears as sheriff, and two new names are found in the list of County Commissioners; a few months later H. B. Amity was county clerk. In 1868 the Eleventh Judicial District was revived, with W. P. Bacon as Judge and James A. Zabriskie as District Attorney.[6]

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[6] Ms. Minute Book, pp. 23-44.

Texas Almanac, 1869, pp. 187-188.
Both Bacon and Zabriskie came to El Paso after the Civil War.

In the constitutional convention of 1868, El Paso and Presidio Counties were represented by W. W. Mills, who supported A. J. Hamilton, his future father-in-law, against E. J. Davis and the radical faction. Under the new constitution, El Paso County became a part of the Thirtieth Senatorial and Representative District and the Twenty-fifth Judicial District. Gaylord J. Clarke, of El Paso, was appointed judge July 9, 1870; after holding one term of court, he was killed December 7, 1870; his successor was S. B. Newcomb who was appointed February 1, 1871 and removed by the Legislature April 13, 1874. The next incumbent was Charles H. Howard, whose appointment was confirmed the day following Newcomb's removal; he remained in office until September, 1875. The attorneys and their dates of service were: John O. Weeks, appointed August 19, 1870; who declined to qualify; James P. Hague, elected or appointed, February 2, 1871; Charles H. Howard elected December 2, 1873; James A. Zabiskie, elected June 2, 1874, resigned September 1, 1878.[7]

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[7] Register of State and County Officers, Secretary of State's Office, No. 264, pp. 38-41, 644-647; No. 265, pp. 76-77, 83.

Gaylord Judd Clarke was born in Tioga County, New York, February 25, 1836; after graduating from Union College, he studied law at the Albany Law School and was admitted to the bar. At the seminary where he did his preparatory work he had been a classmate of W. W. Mills. In 1867 or thereabouts because of his wife's health and the persuasions of Mills, he came to El Paso where he practiced law quite successfully. He was shot and killed by B. F. Willaims as he was trying to prevent Williams from killing A. J. Fountain. -- E. D. MacCallum, The History of St. Clement's Church, pp. 29-31, 41-43.

About two years before his appointment to office, Simon Bolivar Newcomb had come to Texas from Canada to be chief clerk in the Land Office. Shortly after his removal from office, he went to Las Cruces where he practised law for thirty years or more. -- Anon., Illustrated History of New Mexico, p. 600.

Charles H. Howard and James P. Hague were newcomers in the El Paso district; Hague appears to have come after his appointment as attorney.

W. W. Mills was elected to the Twelfth Legislature in 1869, but was counted out when the votes were canvassed. None of those who sat in the House of Representatives of the Twelfth and Thirteenth Legislatures were from El Paso County. Louis Cardis sat in the House of the Fourteenth Legislature. A. J. Fountain was in the Senate of the Twelfth and Thirteenth Legislatures, having been elected for a four year term.[8]

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[8] Mills, Forty Years at El Paso, p. 101.

Register of State and County Officers, Secretary of State's Office, No. 264, pp. 2-4, 22; No. 265, pp. 12, 18.

Fountain was elected President of the Senate after the election of Lieutenant-Governor Flanagan to the United States Senate. He drafted the State Ranger bill and organized the State Police in western Texas. -- Anon., Illustrated History of New Mexico, pp. 656-658.

After the constitution of 1869 was put into effect, there was another reorganization in El Paso County. The lists of county officials which appear from 1870 to 1876 are interesting on account of the new names which appear, new both as office holders and in the annals of El Paso, and on account of the number of Mexican names appearing in the more important positions.[9]

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[9] The lists are given in the appendix. cf Tables 1 and 2.

During this period the location of the county seat was changed again. February 16, 1871, A. J. Fountain presented to the Senate a petition of the citizens of Ysleta, asking for removal of the seat of county government from San Elizario to their own town. In due course a bill was enacted authorizing an election to locate permanently the county seat; the election was held December 7, 1873. The contest was between Ysleta and San Elizario, and the larger population of the former place decided the result. The final vote was 259 for removal and 222 against. All the votes for removal except one were from Ysleta; San Elizario voted solidly for its own interests. This decision was not changed until 1883, when the county seat was moved to El Paso.[10]

[10] Senate Journal, Twelfth Legislature, 1871, p. 253. Ms. Minute Book, pp. 93-94. Commissioners Minutes, II, 94.

Following the adoption of the present state constitution in 1876, certain changes were made in the organization of the county to make it conform to the new requirements and an election was held to fill the county offices. The "First and Regular Term" of the El Paso County Court met July 17, 1876, but as a quorum was not present, it was not organized until September 18, 1876. During the next five years there were many changes among the officers, both elective and appointive, due to failure to qualify, resignation, and in one or two cases to removal.[11]

[11] The lists of county officials who held office from 1876 to 1882, the year in which this study ends, are found in the appendix. cf. Tables 3, 4, and 5.

Under the Constitution of 1876, El Paso County was joined with four other western counties to form the Twentieth Judicial District. Allen Blacker was elected District Judge in 1876 and held the office until he was sent to the legislature.[12] James A. Zabriskie was elected District Attorney;

[12] Allen Blacker was born in 1832 in Ohio, where he studied law in the office of Allen G. Thurman. He served as city attorney at Chillicothe, Ohio, and afterward as clerk of the United States District Court of Nebraska. When the Civil War broke out he enlisted in the Union army; in 1862 he was detailed to take charge of a court martial at St. Louis and afterwards served as adjutant general in several divisions; in 1863 he was sent again to St. Louis as judge advocate and in 1864 was appointed solicitor for the Department of Missouri. He was mustered out of service in 1866 and came in 1869 to El Paso. -- El Paso Times, April 7, 1889.

he resigned September 1 [?], 1878. His successor was T. A. Falvey, "elected" November 5, 1878. At the election of November 2, 1880, T. A. Falvey was elected Judge and W. N. Lessing, attorney. Louis Cardis represented El Paso County in the lower house of the Fifteenth Legislature; the seat in the Sixteenth Legislature was contested between James P. Hague and Isaac Mullin and the former was seated; Allen Blacker was the representative to the Seventeenth Legislature. During these years no one was elected from the El Paso district[13] to sit in the State Senate.

[13] Register of State and County Officers, Secretary of State's Office, No. 265, pp. 2, 18, 83; No. 266, pp. 86-87; No. 267, pp. 5-8, 18, 35-36.
House Journal of the Sixteenth Legislature, p. 6.

This discussion of local governmental changes and elections would not be complete without some mention of the

futile attempt to establish a city government in El Paso. May 17, 1873, the Act of Incorporation for the City of El Paso was approved. The charter provided that Allen Blacker, Joseph Magoffin, Samuel Schutz, B. S. Dowell, and A. H. French, should constitute a comm ssion to hold the first municipal election. When the board met to organize, Blacker was absent and A. J. Fountain was appointed in his place. The commissioners called an election to be held August 12, 1873 for the purpose of choosing a mayor and two aldermen from each of the three wards into which the city was divided. Benjamin S. Dowell was elected mayor and Andrew Hornick, William Fryer, Joseph Schutz, Thomas H. Massie, John S. Gillett and John F. Evans were elected aldermen. The following officers were subsequently appointed: John Hale, city marshall; A. J. Fountain, city clerk; George Butschofsky, tax collector and assessor; Joseph Schutz failed to qualify and Thomas Massie, William Fryer and John S. Gillett soon resigned; October 15, a second election was held to fill the vacancies thus created, which resulted in the choice of M. A. Jones, Allen Blacker, Dr. T. Thayer, and Frank C. March. The business of the council was largely concerned with the acequias, the assessment and collection of taxes, and the filling of vacancies caused by resignation of both elective and appointive officers.[14]

14 Book A, City Clerk's Office, pp. 1-167, passim.

The second election was held August 2, 1875. M. A. Jones was elected mayor over the opposition of the incumbent, receiving thirty-three votes to Dowell's thirteen. The aldermen were William Fryer, Leandeb Ruis, John S. Gillett, Vicente Ortega, Joseph Magoffin, and Felipe Mendosa. The new city council held its first meeting August 10; George W. Rand, the third and last appointee of the first council to the office of city marshall, was chosen to succeed himself; Allen Blacker was appointed city attorney. A week later the mayor was asking for authority to appoint one or more special police because of Rand's refusal to arrest a convicted offender. The council continued to meet throughout August and until September 25. After that there is no record of the existence of any city government until 1880, when a petition was presented by the people of El Paso to the County Court asking that an election for city officers be called. The election was held July 3. Solomon Schutz was elected mayor and B. S. Dowell, A. Krakauer, J. D. Ochoa, Antonio Hart, S. C. Slade and Joseph Magoffin, aldermen. The new government was organized July 23, 1880 and John B. Tays was elected marshall. From that time forward, the city

government has had a continuous existence.[15]

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[15] Ibid., pp. 170-189, passim. Book B, City Clerk's Office, pp. 1 ff.

When the Civil War ended there were very few troops left in the El Paso district. At El Paso two companies of the Fifth Infantry and one company of the First California Cavalry were housed in buildings belonging to Confederate refugees or in quarters rented from good Unionists. During the summer, the cavalry company was withdrawn and the abandoned buildings at Fort Bliss made fit for occupancy. October 15, 1865, Captain David H. Brotherton, with two small infantry companies, reoccupied that post. It was occupied by a small force continuously for more than two years. Floods in 1867 washed away some of the buildings; in the latter part of the following February the garrison was removed to Stephenson's Ranch. The new post was known as Camp Concordia until its former name, Fort Bliss, was restored March 23, 1869. Like the older Fort Bliss, this post was a group of adobe buildings with earthen roofs and floors. It did not have conveniences; all water had to be brought from the river three quarters of a mile away; there were no green cottonwood trees or alfalfa on the parade ground.

It did not have the attractions of the old Fort Bliss at Magoffinsville. January 17, 1877, Fort Bliss was again abandoned, the garrison being sent to Fort Davis. It was reestablished a year later, this time in El Paso, in rented quarters. An act of Congress approved February 4, 1879, appropriated $40,000 for the purchase of land and the erection of buildings for a military post at El Paso. A tract of about 135 acres of land adjoining Hart's Mill was bought from the heirs of Simeon Hart; substantial adobe buildings were constructed, and December 3, 1880 the third Fort Bliss was established with a garrison consisting of one company of cavalry and three of infantry.[16]

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[16] Rebellion Records, Ser. i, XLVIII, Pt. II, 278-279, 1233-1234.

Bowman, "Fort Bliss-Military Post" in Report on the Hygiene of the United States Army, pp. 185-186.

Drum to Smythe, August 30, 1887, El Paso Times, Midsummer Trade Edition, August 1887.

Two of the officers' quarters still stand near the Rio Grande in the section popularly known as Old Fort Bliss; some of the barracks were occupied by General John J. Pershing's troops in 1916 at the time of the punitive expedition into Mexico. Judge Llew Davis, interview. In 1893 Fort Bliss was moved for the fourth time to its present location on the mesa northeast of El Paso.

There is less available information concerning the other army posts in the El Paso district in the years following the war. Fort Quitman was reoccupied January 1, 1868, and

for several years appears to have been held by a larger garrison than that at Fort Bliss. During part of the time the troops were negroes. The buildings were adobe, with dirt floors and were heated by open fireplaces. It had a luxury which the post at Concordia lacked, two bath tubs. An attempt to cultivate a garden proved unsuccessful and thereafter the towns fifty or seventy five miles above were depended on for fresh fruit and vegetables. A statement that milk, and sometimes butter, eggs, and chickens could be bought in the neighborhood is the only hint of nearby settlement. The abandonment of Fort Quitman was ordered at the same time as that of Fort Bliss. After the troops were withdrawn, people from the little towns across the Rio Grande carried away all the timbers and soon the only habitable building was the former quarters of the commanding officer, in which the caretaker lived.[17]

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[17] C. C. Rister, The Southwestern Frontier, 1865-1881, pp. 61-62.
Lane, I Married a Soldier, p. 186.
Texas Almanac, 1870, p. 203; 1873, p. 27.
"Fort Quitman" in Hygiene of the United States Army, p. 220.
El Paso Troubles, in House Ex. Doc. No. 93, 45 Cong., 2 Sess. Ser. No. 1809, pp. 44-46.

After the abandonment of Fort Fillmore in 1862, whose buildings soon crumbled into dust, Fort Seldon was the most northern military establishment in the El Paso district, the outpost against the Indians. Its buildings were not completed in 1874, although at that time it was occupied by a company of negro infantry and a troop of white cavalry. The date of its abandonment is not known; it is perhaps significant there is no reference to its existence at the time of the Salt War in the El Paso Valley.[18]

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[18] Lane, I Married a Soldier, 1. 189.

No one can scan the records of the El Paso county government in the late sixties and through the seventies without wondering at the political situation behind the bare statements of routine business. The frequent changes in office are particularly puzzling. Unfortunately the materials for reconstructing that background are meager. W. W. Mills returned to El Paso with the Union troops in 1862 and, by his own account, organized the Republican Party and was its boss for ten years. His lieutenant, and later his successor in this position, was Louis Cardis. For several years the "radicals", among whom Henry J. Cuniffe, merchant and one time

United States consul at Paso del Norte, and Albert H. French were prominent, seem to have had everything their own way. But as time went on, dissension appeared in the Republican Party and in the seventies the Democrats began to assert themselves. Partizan feeling was bitter. Mills asserts that the chief object of both Democrats and factional Republicans was to oust him from his leadership and hints that his enemies were willing to assassinate him in order to accomplish their purpose.[19]

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[19] Dweyer to Magoffin, June 17, 1867, Letter in the possession of Mrs. W. J. Glasgow.
Mills, Forty Years at El Paso, pp. 62-142, passim.

Part of the strife appears to have been the result of a split in the Republican Party; Mills, French and Gaylord J. Clarke were supporters of A. J. Hamilton whereas A. J. Fountain and B. F. Williams led the opposition in behalf of E. J. Davis. In the election of 1869 the latter faction was victorious and Fountain was elected to the State Senate, by fraudulent methods according to Mills. Fountain had great influence at Austin and in order to conciliate the opposition, he secured the appointment of Clarke as District Judge. Williams wanted the office and believed that his political activities entitled him to it. His thwarted ambition, inflamed by

a prolonged drinking bout, led him December 7, 1870, to an attempt on the life of Fountain. He killed Clarke and wounded Fountain, and was himself killed by French, at that time in command of the State Police at El Paso. A year or two later another factor was injected into the situation when Charles E. Howard appeared to convert the county to the "true faith" and lead it back into the paths of Democratic righteousness. To effect this purpose he made an alliance with Louis Cardis.[20]

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[20] Ibid., pp. 139-141.

Stine to Lewis, January 23, 1878, in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong. 2 Sess., Ser. No. 1809, pp. 65-66.

Louis Cardis was Italian by birth and had served as an officer under Garibaldi. The earliest records of his appearance in El Paso County show his presence there in December, 1865.

Such bitter political animosity as led to the killing of Clarke was not confined to El Paso County. August 27, 1871 in the course of a heated campaign for county offices in Doña Ana county, a clash occurred between the participants in two mass meetings held simultaneously by the Republicans and Democrats. As a result, nine men were killed and forty or more wounded. -- Griggs, History of Mesilla Valley, pp. 90-93.

In order to understand the bitterness of the election of 1869, the subsequent break between Cardis and Howard, and the most serious threat against the lives and property of the English-speaking people that El Paso County has ever known, it is necessary to consider a commodity which had

played an important part in the economic life of the people for many years. Salt has been an important article of trade throughout the nineteenth century. Until the early 1860's it appears to have been derived from the San Andreas Salt Lakes in the Tularosa Basin. In 1862 or 1863 the Guadalupe Salt Lakes were discovered; these deposits were of much better quality and were much nearer the Rio Grande than the San Andreas Lakes; a wagon road from San Elizario was soon opened up and the Guadalupe Lakes became the source of supply.[21]

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[21] Fountain to Jones, March 4, 1878, in Report of the Adjutant General for 1878, p. 19.
Caleb B. Miller in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess. Ser. No. 1809, p. 105.

In 1866 a temporary check was imposed on this traffic when Samuel Maverick of San Antonio "located" the lakes and had them surveyed under a Texas land certificate. The Maverick Survey did not include all the lakes, and soon the people were again taking salt. In 1867 or 1868 a company was formed to locate that part of the Guadalupe Salt Lakes outside the Maverick survey. Among the members of this company were A. J. Fountain, J. M. Lujan, W. W. Mills, B. F. Williams, and G. J. Clarke. A land certificate was obtained and the survey was made. According to Fountain,

> "This action aroused considerable bad feeling among the native population. Troubles originated in our company, quarrels ensued and fin-

> ally it was discovered that the Jett certificate was defective and the whole thing fell through."

Despite these things Mills and some others persisted in trying to secure the location. Fountain, according to his own story, made up his mind to try to secure the salt lakes for the people of the county. The matter was an issue in the election of 1869; the Mills faction became known as the "Salt Ring", and the Fountain party, the "Anti-Salt Ring". Cardis was associated with Mills in this election; their party was defeated and Fountain was elected. Thereafter Mills regarded Fountain as his worst enemy.[22]

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[22] Fountain to Jones, March 4, 1878, in Report of the Adjutant General for 1878, pp. 19-20.
Mills, Forty Years at El Paso, pp. 114, 116.

After the election a new personage became involved in this clash of conflicting desires. This was Antonio Borajo, the parish priest at San Elizario, who had used his influence with the Mexican people to secure the election of Fountain. Borajo approached the State Senator-elect with the suggestion that Fountain locate the salt lakes in his own name, lay a small tax on the salt, and divide the profits with the priest, who would advise the people to pay the tax. Fountain reject-

the proposal and Borajo allied himself with Cardis. Shortly thereafter Fountain called a mass meeting at San Elizario and offerred to give to the people a certificate for 320 acres of land on condition that they pay the expense of its location on the unpatented portion of the Guadalupe Salt Lakes and that the location be for the use of the citizens of El Paso County. Through the influence of Borajo and Cardis, Fountain's proposal was rejected. Nevertheless he introduced into the State Senate a resolution which provided

> "for the relinquishment to the county of El Paso, for the use of her citizens forever, all rights, title, and interest of the State of Texas in the unlocated portion of the Guadalupe Salt Lakes in El Paso County.

However, when he was shown a protest against any legislation affecting the salt lakes signed by more than four hundred citizens of the county, he withdrew his resolution and dropped the matter. Later he learned that the "protest" was the work of Cardis and Borajo, who had secured the support of the people by representing that if the salt lakes became the property of El Paso County, their friends and relatives in Mexico would not be permitted to take salt, and that Fountain was trying to trick them out of the lakes. If Mills had any part in this thwarting of Fountain's project, it is unknown.[23]

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[23] Fountain to Jones, March 4, 1878, in Report of the Adjutant General for 1878, pp. 20-21.

After the election Fountain secured for the defeated candidate of the Mills-Cardis faction, A. H. French, an appointment as captain of State Police. After Fountain's return to El Paso, Cardis and Borajo, through French, made overtures to him, and at an interview between Fountain and Cardis, proposed a general reconciliation and reorganization of the Republican Party. Fountain, in recognition of his control of most of the state patronage was to be the acknowledged leader and to have the undivided support of the party. In return he was to make certain concessions to Cardis and Borajo, among which the most important seemed to be the appointment of French as Collector of Customs in place of the incumbent, Dwight C. Marsh; the entire control by Borajo of the public schools, including the selection of the teachers; and an arrangement with regard to the salt lakes. Fountain was to secure the possession of the salt lakes, charge for the salt, and divide the proceeds with Borajo. The priest believed that a large fortune could be secured from the lakes but felt that for himself or Cardis to take such action would completely destroy their influence with the people. When

When Fountain asked Cardis what security they would have that he would not refuse to divide the profits if he should secure a legal title to the lakes, the Italian answered, "We know that you would not do anything of the kind, because it would cost you your life and you know it." He added that Borajo was determined to have the lakes and would permit no one to enjoy them adversely to his interests. Fountain refused to make the bargain or to promise neutrality in the threatened war against the Collector of Customs and immediately there was commenced against him a bitter fight which lasted until he moved to Mesilla in 1874. It is curious that except for a single reference to the Mills-Cardis faction, the name of W. W. Mills does not occur in connection with this affair, especially in view of Mills' emphasis on Fountain's enmity toward himself.[24]

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[24] Fountain to Jones, March 4, 1878, in Report of the Adjutant General for 1878, pp. 21-22. In New Mexico, Fountain resumed the practice of law; he took part in the Victoria War and in the campaign against Geronimo. In 1888 he was a member of the Territorial Legislature and Speaker of the House; the next year he was appointed Associate United States Attorney for New Mexico by President Harrison. -- Anon., Illustrated History of New Mexico, pp. 656-658. Fountain and a thirteen year old son were murdered at the White Sands sometime after 1889. -- C. A. Siringo, A. Lone Star Cowboy, pp. 187-189.

The negotiations between Fountain and Cardis probably took place after the spring of 1870. It must have been about the same time, or perhaps somewhat later, that Charles H. Howard came from Austin on his evangelizing mission. To wrest El Paso County from the control of the Republicans, he had to secure the support of the Mexican population; to do this he needed an ally for he did not speak Spanish and knew little about the Mexican people. Louis Cardis spoke Spanish fluently and knew the Mexican character thoroughly; in addition, he was the friend and political leader of the Spanish-speaking population. The alliance between Cardis, the Republican, and Howard, the Democrat, seems to have been based on a common hope that the other would be a useful agent; for Cardis had little influence with the Americans and expected to profit by Howard's eloquence. For several years the allies worked harmoniously. Howard was elected District Judge and Cardis sent to the Legislature and the constitutional convention. In 1875 the "period of profound peace and quiet" came to an end. It appears that the first misunderstanding resulted from an attempt on Howard's part to dictate to Cardis and the latter's unwillingness to play "second fiddle" to the man he had put in office. The disagreement became a bitter feud; Cardis used his influence against Howard; Howard sought revenge by

publicly whipping Cardis on two occasions, in Austin and San Antonio. Cardis's method of avenging these insults was to arouse the Mexicans against his enemy. In the fall of 1876, the people of San Elizario and Socorro threatened violence against Howard, because through Cardis they had learned that he had helped defeat an acequia project in which they were interested.[25]

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[25] Stine to Lewis, January 23, 1878, in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, pp. 65-66.
Blacker to Commission, March, 1878, in Ibid., pp. 122-123.

This jealous strife between two ambitious and unscrupulous politicians is the chief, but not the only element, in the background of the riot known as the Salt War. In 1872 some trouble developed as a result of the compulsory education law, which required the attendance of all persons between the ages of eight and eighteen. Borajo "hated everything American" and particularly this law, which prohibited the use of religious books. He used his influence to prevent its enforcement; in consequence children were not sent to school and several parents were fined or imprisoned. Among the school trustees who clashed with him in this matter were C. E. Ellis and John G. Atkinson. About the same time they

had secured the indictment of the priest because he had violated the law by burying people in and around the church yard. Somewhat later, the El Paso district was made part of the diocese of Arizona and brought under the jurisdiction of a new bishop; the Americans at San Elizario sought and ultimately secured the removal of Borajo; Ellis and Atkinson were active in this movement and Borajo knew it. Borajo removed to the Mexican side of the river; but continued to exercise his sinister influence in Texas.[26]

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[26] Kerber in Ibid., p. 77.
Stine to Lewis , in Ibid., p. 66.

With all this conflict of ambition and hostility in the background, the salt question was brought to the fore in the summer of 1877. George B. Zimpleman, of Austin, Howard's father-in-law, located the unpatented portion of the Guadalupe Salt Lakes probably at Howard's suggestion. The survey was made in July by the county surveyor. Concerning the attitude and acts of the Mexican people the records are conflicting. There is some evidence that Zimpleman's claim was acknowledged by a few at least. On the other hand there are reports of meetings under the leadership of Cardis to devise means of compelling Howard to give up the claim to

the lakes or to prevent their survey. Three Mexicans employed to go with the surveying party refused to go at the last minute through fear of being mobbed. Howard went with the surveyor, and, encountering Cardis unexpectedly at Fort Quitman, made an assault on him, for which he was later indicted.[27]

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[27] W. B. Blanchard, in Ibid., pp. 69-70.
J. C. Ford, in Ibid., p. 71.
Ismael Ochoa, in Ibid., p. 105.
B. S. Dowell, in Ibid., p. 120.

It was charged that Howard had made an agreement with Borajo and Cardis similar to the one proposed to Fountain. Howard said that he had been compelled to break with his erstwhile political partners because they were attempting to force him into some schemes so monstrous as to cause them to forfeit all claims on him. Another accusation was that Howard made an agreement with the people of San Elizario, Socorro, and Ysleta to defend what they considered their just and legal claims to the Guadalupe Salt Lakes and then defrauded them. In opposition to this is the statement that the people knew the lakes were open to anyone with a land certificate large enough to cover them, "but being badly advised by Don Louis Cardis and the Cura Borajo, they determined not to locate these lakes themselves, nor to permit anybody else

to do so." Another patent fact is that a mischief maker was abroad in the land; Uncle Ben Dowell, who had a grievance against the citizens of Mexico, "frequently notified Howard of Cardis' intention to have him killed, and asked Howard why he didn't kill Cardis at Quitman."[28]

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[28] Ortiz to Hatch, no date, in Ibid., p. 68. Juan Nep Garcia in El Independiente (Mesilla), January 17, 1878, in Ibid., p. 97. Fountain to Jones, March 4, 1878, in Report of the Adjutant General for 1878, pp. 22-23.

Add three other factors and the train to a powder mine is complete. Joseph Magoffin resigned the office of county judge, August 13, 1877, and was succeeded by Gregorio N. Garcia; thus all the judicial offices and all the members of the County Commissioners Court were Mexican. September 5, 1877, the grand jury reported an ordinance of May 16, 1877, as "so utterly repugnant to legal enactment that it merits the severest penalty of the law" and added their conviction that the act was the result of ignorance rather than deliberate design and their recognition "that the county commissioners are not competent to discharge in a strictly legal manner the responsible duties devolving upon them."[29] The op-

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[29] Report of the grand jury to Hon. Allen Blacker, in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sers., Ser. No. 1809, pp. 118-119.

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portunity for disorder furnished by the weakness or incompetence of the civil magistrates was increased by the fact the military posts of Fort Bliss and Fort Quitman had been discontinued since the beginning of the year. Thus the El Paso Valley, almost six hundred miles from the Texas frontier, was without adequate means of preserving order.

Across the Rio Grande, the year 1877 was marked by a series of lawless attacks on both people and authority. In one hold-up of the officials and principal men in Paso del Norte, men from Texas participated; in another, the bandits were allowed to find refuge on American soil; in a third, the Mexican officials were themselves the aggressors and the victims were five Texas cattlemen, and a Mexican, who, "armed with the latest improved carbines and pistols" and peaceful intentions, crossed the river. They were arrested and their arms were confiscated. There is no reason to doubt that the Mexican officials were at heart friendly to the Americans and desirous of maintaining peaceful relations; but they were not strong enough to control lawlessness in their own country, much less prevent their citizens from joining kinsmen and neighbors on the other side of the river in any attempt against an enemy.[30]

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[30] Edgerton to Hatch, January 15, 1878, in Ibid., p. 52.
Schutz to Second Assistant Secretary of State, June 5, 1877, July 13, 1877, in Ibid., p. 136.
Zabriskie to Hatch, January 11, 1878, in Ibid., pp. 52-54.

The last factor in this dangerous situation was the close relationship between the Spanish speaking populations on both sides of the river. They were united by ties of race and kinship, common religion and equal interest in the salt lakes. The claim of the people, especially those in Mexico, of the right to take salt may have been without legal basis. The existence of a general belief in such a right cannot be doubted. Add to this, ignorance, especially of the American system of government, bad advice from unscrupulous leaders seeking their own selfish ends; and the desperation of people facing starvation and deprived of their only chance of livelihood when a source of income, enjoyed for years, was cut off by what seemed unfair and unlawful means.[31]

[31] Hague to Hatch, January 10, 1878, in Ibid., p. 50.
Ortiz to Hatch, no date, in Ibid., pp. 68-69.
Lewis to Adjutant General, March 12, 1878, in Report of the Secretary of War for 1878, p. 53.
Bourgade to Jones, December 11, 1877. University of Texas transcripts from the Adjutant General's Office.

The series of events resulting from this tangled web of causes is known as the Salt War. During the early fall of 1877 meetings were held to discuss means of securing repossession of the salt lakes; as time went on, there appeared vague hints of a movement to take salt by armed force. Rumor or real information led Sheriff Kerber to telegraph a warning of impending trouble to Governor Hubbard as early as September 14. On the twenty-ninth, Howard secured the arrest of two Mexicans, one a citizen of Mexico, on the grounds of their expressed intention of taking salt. One satisfied County Judge Garcia that he did not intend to violate the law; but the other was put under $200 bond and turned over to the sheriff until the bond should be made. That very night Garcia was captured, to be held prisoner for several days, together with Porfirio Garcia, the Justice of the Peace at Socorro. Howard was wanted also. He was on his way to Fort Davis; but being warned of his danger by J. E. McBride, his salt agent, he returned to Ysleta and sought refuge in Kerber's house. The next afternoon the house was surrounded by a mob of about fifty Mexicans. That night Kerber was captured and held until morning. Howard and McBride were seized and taken to San Elizario, where they were lodged in the same house with the two Garcias. Meanwhile

the mob had grown to about two hundred. Kerber after his release, unable to get help at Ysleta, went to El Paso. There he charged Cardis with being the instigator of the uprising and threatened him with reprisal if Howard were injured. October 2, Cardis went to San Elizario and joined his efforts to those of Pierre Bourgade, the good priest who had succeeded Borajo at San Elizario. On the afternoon of the third, Howard was finally released after he had come to terms with the leaders of the mob. The conditions of his release were his relinquishment of the salt lakes, a promise not to prosecute those who had arrested him, and an agreement to leave the county permanently; to guarantee the fulfillment of the last provision, he gave a bond of $12,000 signed by C. E. Ellis, John G. Atkinson, Jesus Gobos and Tomas Garcia. Howard was taken from his place of detention under the protection of Bourgade; he was escorted to El Paso by some Ysleta men, and out of the county by Kerber. The county judge and the Justice of the Peace were released on condition that they resign their offices.[32]

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[32] Blacker to Commission, March, 1878, in El Paso Troubles, House, Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, p. 123.
G. N. Garcia in Ibid., p. 106.
P. Bourgad[e] in Ibid., p. 99.
Kerber to Steele, Sept. [Oct.] 5, 1877, in Ibid., pp. 151-152.

Kerber to Hubbard, Sept. 14, 1877, telegram. University of Texas transcripts from the Adjutant General's Office.

After the release of Howard and his withdrawal from the county, there was no violence for several days; but the situation was tense. There is evidence that the mob, estimated at between three and four hundred persons, of whom a considerable number were from Mexico, maintained its organization. The civil authorities were helpless. Many people fled from the county. A small group of Mexican citizens took advantage of the situation to go after salt. It was held by several Americans that the real cause of the uprising was the machinations of Cardis. Kerber finally succeeded in securing twenty United States cavalry under the command of one Lieutenant Rucker, who proved a sore disappointment because he refused to do aught but protect Government property.[33]

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[33] Atkinson et al. to Slade, October 6, 1877, in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, pp. 152-153.
Magoffin to Commission in Ibid., p. 130.
Kerber to Hubbard, Oct. 10, 1877, in Ibid., p. 142.
Fountain to Hubbard, Oct. 6, 1877, telegram, in Ibid., p. 141.

Howard left El Paso County October 4, and went to Las Cruces; October 7, he returned with the United States troops. October 10, armed with a double barrled shotgun, he went into the store of Solomon Schutz and Brother, where Cardis was sitting quietly, and shot him to death. He then went to the Custom House to secure protection from the mob that was expected to gather to avenge the murder. That same afternoon he went to Mesilla. The expected mob did not gather, and for a little while it appeared that the ousted officials would be permitted to resume their authority. However, the friends of Cardis demanded justice; the insurgents kept up their organization; and at San Elizario the feeling against Americans and the existing government grew more and more hostile. October 24, Kerber wrote to the Adjutant General of Texas to renew his request for help. Because of their great distance from El Paso and the pressure of need elsewhere, State troops had not yet been sent to the district. On the same day that Kerber made his last appeal, Major John B. Jones of the Frontier Battalion was ordered to go to El Paso County to investigate the recent troubles. Jones reached El Paso about the sixth of November. He found a serious situation, for the mob was threatening Howard's bondsmen because of his return to the county three weeks

earlier. Jones, immediately after his arrival, attended a meeting of the people and persuaded them to hold no more juntas and to abide by the action of the courts.[34]

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[34] Kerber to Steele, Oct. 7, 1877, in Ibid., p. 152. Kerber to Steele, Oct. 24, 1877, in Ibid., pp. 153-154. Jesus Gonzalez, A. Krakauer, and E. Stine, in Ibid., pp. 59-61. Steele to Hubbard, Oct. 8, 1877, in Ibid., p. 142. Steele to Jones, Oct. 24, 1877, in Ibid., p. 153. Jones to Steele, Nov. 3, 1877, telegram, in Ibid., p. 154. P. Bourgad(e), in Ibid., pp. 99-100. Magoffin to Hubbard, Oct. 10, 1877, Oct. 12, 1877, two letters. University of Texas transcripts from the Adjutant General's Office.

In spite of the promises of good behavior, Jones, after some investigation, decided that the situation was sufficiently serious to warrant the organization of a troop of State Police. He recruited twenty men, of such material as he could get, put John B. Tays in command, made preparations for securing an adequate supply of arms, and stationed the company at San Elizario. Subsequently it was charged by some of the Mexicans that the Ranger force was really in Howard's pay; there is no evidence to substantiate the accusation, but there is evidence that he tried to secure men for the company and sent at least one recruit to El Paso.[35]

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[35] Joseph Magoffin in El Paso Troubles, House Ex. Doc. no. 93, 45 Cong., 2 Sess., Ser. No. 1809, pp. 79-80, 155.

Jones to Steele, November 14, 1877, telegram, University of Texas transcripts from the Adjutant General's Office.

Howard to Jones, November 13, 1877, in Ibid.

Tays to Jones, November 29, 1877, in Ibid.

John B. Tays was Canadian by birth and a British subject; he had come to Texas about two years before this time. He was the brother of Joseph Wilkins Tays, the Episcopal rector at El Paso.

About the middle of November Jones was party to an arrangement for the formal arrest of Howard. Howard came to El Paso and was taken before a Justice of the Peace. A complaint, charging him with the murder of Cardis, was sworn out by Joseph Magoffin. A warrant was issued and returned by Jones; Howard waived examination and was released on $4000 bail. All this occurred within the space of a few hours early one morning. Afterwards, according to Jones, Howard stayed in the county two days where his presence was known. Magoffin told him "for Lord's sake stay away until the court met."[36]

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[36] Report of John B. Jones in Report of the Adjutant General for 1878, p. 15.

Joseph Magoffin in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, p. 80.

Undoubtedly the murder of Cardis, whom the Mexicans considered their best friend, and the solicitous care for the safety of Howard, "crystallized the bitterness engendered by the location of the salt lakes, and aroused all the vindictiveness and revengeful feelings which had been taking shape for years against a man whom they felt had devoted himself to their destruction, and whose punishment by the Courts of the county they considered a visionary hope." Excitement and apprehension continued throughout November. There was talk of armed organization and of assurance of help from Mexico, and threats against the life of Howard. Efforts were made to persuade the people of Socorro to come to the aid of those at San Elizario and to compel the peaceably inclined to join the organization. It was expected that in the event of disturbance many would cross the Rio Grande to aid their friends and relatives on the Texas side.[37]

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[37] Zabriskie to Hatch, Jan. 11, 1878, in Ibid., pp. 52-53.

Blair to Acting Assistant Adjutant General, Nov. 23, 1877, in Ibid., pp. 58-59.

While the feelings of so many people were in this dangerous state, Howard came to El Paso on December 2, with the intention of going to San Elizario, but for some reason

he failed to do so. A few days later a train of sixteen wagons started to the salt lakes. Howard was notified and, in Zimpleman's name, he secured a writ of sequestration to seize the salt when it should be brought to San Elizario. December 10, the governor sent a telegram to the three Mexicans considered the ring leaders of the mob, calling on them to obey the laws and to control their people. The salt train was expected to return on the twelfth. Early that afternoon Howard went to San Elizario with an escort of rangers who had been sent by Tays to El Paso for that purpose. Arrived there, Howard went to spend the night with C. E. Ellis, and Tays, who expected trouble, posted double guards at the Rangers' quarters. There was no disturbance until about ten o'clock. At the first sound of approaching trouble, Ellis left his store, to be killed shortly afterward; Howard came to the Rangers' quarters for protection. Tays was expecting the arrival of a troop of United States cavalry as an arrangement had been made with Captain Thomas Blair that the troops would go to San Elizario as soon as Blair was notified of the presence of armed invaders from Mexico on American soil. Tays had sent word that afternoon that he had seen Chico Barela, one of the leaders of the mob, with a number of armed men from the other side.

Blair did go with less than twenty men; on the outskirts of San Elizario his force was halted and surrounded by an armed force five or six times as large as his own. He was told that the mob was determined to take Howard, and was assured that it contained no residents of Mexico. As his orders were to prevent the coming of armed persons from Mexico, he felt that his duty did not require him to try to force an entrance to the town, a thing he believed impossible under the circumstances.[38] Therefore he returned to El Paso.

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[38] Tays to Jones, Nov. 30, 1877. University of Texas transcripts from the Adjutant General's Office.
Tays to Jones, Dec. 20, 1877, in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, pp. 80-81.
Hubbard to Cisto Solelni, et al., Dec. 10, 1877, in Ibid., p. 144.
Blair to Assistant Adjutant General, Dec. 19, 1877, in Ibid., p. 56.
John B. Tays, in Ibid., pp. 108-109.

The next morning the Rangers found their quarters surrounded by a strong force and a three day siege was begun. Ranger Sergeant C. E. Mortimer was fatally wounded the first day. There was considerable firing all that day and during the two that followed. On the morning of December 16, Tays had a parley with the leaders of the mob, who demanded that Howard be delivered up to them, but promised that if he would

give up his claim to the salt lakes that he would not be harmed. Believing that his own life was forfeit but that his surrender was the only chance of saving the others, and against the protests of Tays, Howard agreed to give himself up. Tays and Howard went to the headquarters of the mob. As an interpreter was needed, Atkinson was summoned. When he reached the house where the mob leaders were conferring with Tays and Howard, he was taken into a separate room, where he made some arrangements for the surrender of the Ranger force. While Tays remained at the mob headquarters, Atkinson returned to the Rangers and told them Tays had ordered their surrender. When the Rangers reached the quarters of the mob, they were disarmed, held prisoner for a day, and then released. Their horses and saddles were restored to them, but not their arms or provisions.[39]

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[39] Tays to Jones, Dec. 20, 1877, in Ibid., pp. 81-82.

The San Elizario Massacre. University of Texas transcripts from the Adjutant General's Office.

In connection with this surrender and the subsequent atrocities committed by members of Tays's command, it should be borne in mind that this force was not a part of the regular Ranger organization. It was recruited by Jones in the emergency of such material as was available. Not all the members were of good character; and after Jones's departure from the county, there was no one in the company who represented the traditions of the State Police.

Meanwhile, on December 16, the mob, having got possession of Atkinson and McBride, as well as Howard, decided on the execution of all three; they were taken out and shot. It was said that the firing squad was composed of Mexicans from the other side of the Rio Grande. After these murders, the mob demanded the lives of the Rangers and all other Americans. It appears that during the period of their imprisonment, the question of the killing of the Rangers was debated. They were spared at the insistence of Chico Barela, who threatened to turn his own men against the mob if another American were killed. The feeling against Americans was bitter and the flame of hate was fanned by Borajo, who promised absolution for the killing of all the gringos. The mutilation of the bodies of Ellis and Howard is evidence of the fury of an enraged and primitive people.[40]

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[40] The San Elizario Massacre, Ibid.
Mary Antonia Cooper in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong. 2 Sess., Ser. No. 1809, p. 74.
Tays to Jones, Dec. 20, 1877, in Ibid., p. 157.
Juan Nep. Garcia, in Ibid., pp. 95-98.
In after years, Howard became something of a hero to the English-speaking people in the El Paso Valley; it is curious that to him was attributed the story of Atkinson's death as told by the only eyewitness who testified to its details. After some conversation concerning the pledges of security which were being broken, Atkinson said, "Then let me die with honor, I will give the word." He took off his coat and vest and uncovered his breast, "When I give the word, fire at

my heart. Fire!" Five bullets struck him in the stomach. He staggered and shouted, "Mas arriba, cabrones." As two more shots did not kill him, the leader of the firing squad placed a pistol at his head.

The testimony concerning the Salt War reveals an amount of race hatred that is suprising until one remembers the various hints of American contempt for the Mexican and his rights that are found in the accounts written after 1848, and the ill usage of the native people at the hands of the invading Texans in 1861 and 1862. There is plenty of evidence that the hostility was mutual. Perhaps the reason for the hero-worship of Howard was solely the fact that he was American.

This December riot was accompanied by much looting. Ellis' store and mill were entered and plundered; all the property of the murdered men was taken, including a considerable sum of money belonging to Atkinson. The arms taken from the Rangers and Atkinson's money were distributed among the mob. Other Americans lost money, arms, and ammunition. Much of the movable property was taken across the river. The losses were estimated at from more than $12,000 to about $31,000.[41]

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[41] Ibid., pp. 14, 31-33, 74, 100-102. Except for the theft of Ellis's property and Atkinson's money, there is no evidence of any attempt to collect from Howard's bondsmen.

Much of the thievery was the work of men from the Mexican side of the Rio Grande. During the period between the twelfth and sixteenth of December, the mob grew from per-

haps a hundred persons to four or five times that number. The estimates range so widely as to be almost meaningless. It is probable that every man who could went to San Elizario, either to take part in the riots or to look on. The number could have been five hundred or three times that number. The fiesta of Guadalupe was in progress at Paso del Norte; it drew many strangers and persons of bad character from the interior of Mexico. The Mexican authorities took some steps to prevent armed parties from crossing into Texas, but a slight knowledge of the geography reveals the difficulty of preventing individuals or little groups from slipping over. The statement was made that all those concerned in the riots were of Mexican descent; it may be true as far as active participation is concerned.[42]

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[42] Ibid., pp. 34-44, 50, 52, 76, 113.

Hatch to Assistant Adjutant General, Jan. 11, 1878, in Report of the Secretary of War for 1878, p. 151.

Kerber to Hubbard, Dec. 25, 1877, in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong. 2 Sess., Ser. No. 1809, pp. 78-79.

H. O. Matthews in Ibid., p. 119.

Price Cooper in Ibid., p. 113.

Juan Nep. Garcia, in Ibid., p. 96.

San Elizario Massacre. University of Texas transcripts from the Adjutant General's office.

There is nothing in the records to contradict the statement made concerning the personnel of the mob; but the accumulation of evidence points to James P. Hague as the successor of Cardis in the leadership of the Mexicans and as their director, at least during the early days of the riot.

Governor Hubbard was notified by telegraph of the riot at San Elizario and of the danger to the State troops December 13; the next day, he telegraphed President Hayes to ask the aid of United States troops "to repel this invasion of our territory". The first contingent of soldiers reached El Paso December 20. The next day General Edward Hatch arrived and immediately began to inform himself about the situation. Being told that many lawless persons were gathered at San Elizario for the purpose of plunder and having at his disposal a force of about sixty troops, he left El Paso at daybreak the next morning. As he went down the valley he found that the insurgents had heard of the coming of the United States soldiers and had crossed the Rio Grande. Meanwhile Kerber had asked and received permission to recruit reinforcements in New Mexico and twenty-five men had arrived from Silver City on the day of General Hatch's coming. December 23, Kerber in command of Tays's Rangers and the Silver City men started from Ysleta for San Elizario to bury the victims of the mob. On the way two prisoners who were being taken in the wagon with the coffins were killed, as they were "trying to escape", it was said. At Socorro, where Kerber ordered a number of arrests, two men were killed and a man and woman wounded by the Rangers. Hatch came into Socorro during the "skirmish" and found the men in arms and

the women and children in flight. He ordered the dispersal of the inhabitants, and, meeting Kerber shortly thereafter, warned him of the ambush prepared for the sheriff on the road to Ysleta. Another detatchment of United States troops having come to the scene of trouble, it was given the task of preventing further attacks on the people.[43]

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[43] El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, pp. 79, 96, 144-145, 148.
Hubbard to Kerber, Dec. 15, 1877, telegram, in Report of Adjutant General for 1878, p. 23.
Tays to Jones, Dec. 30, 1877. University of Texas transcripts from the Adjutant General's Office.
Hatch to Assistant Adjutant General, Jan. 11, 1878, in Report of the Secretary of War for 1878, p. 51.

The last fighting occurred December 23. After that date United States troops were stationed at El Paso, Ysleta, Socorro and San Elizario; all the Rangers and the Silver City men were at the latter place also. During the next few weeks, the negro soldiers committed some depredations on the people; more serious charges were made against the Silver City men, who were never mustered into the State service and hence were under little restraint. Although it was reported to Kerber that the outrages of the men under his command were causing many women and children to leave their homes, there is no evidence that he took any action in the matter. January 10, 1878, Kerber was instructed

to dismiss his posse. By that date all those who had been seriously implicated in the riots had fled to Mexico. Although the mob retained its organization for some time, the Salt War had really come to an end.[44]

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[44] Hatch to Assistant Adjutant General, Jan. 11, 1878, in Ibid., p. 51.
Kerber to Hubbard, Dec. 29, 1877, telegram. University of Texas transcripts from Adjutant General's Office.
El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, pp. 103, 104, 95, 126, 91-92, 116, 158.

The actual rioting had barely ended when Governor Hubbard telegraphed the Texas delegation in Congress to urge an immediate investigation by the United States authorities of the part played by Mexican citizens. The investigation was authorized December 31, 1877. The investigating commission was instructed to inquire into the causes, facts, and circumstances of any outrages, riots, or murders that had occurred; to make a statement of the action taken by the civil and military authorities of the United States and Texas; to ascertain the number and character of the Mexican citizens who participated and the action of the Mexican authorities; to secure any other information of value and to make recommendations. Four days later a detail of three military officers was ordered by the President, who, with

a representative appointed by the Governor of Texas, should constitute the investigating commission. The army officers met at Fort Bliss on January 22, 1878; as Major John B. Jones, the Texas member, had not arrived, the board adjourned and began to collect evidence. Jones did not join the board until February 19. He was disconcerted to find that the investigation had been going on for some time, and that in addition to the activities of the Mexican citizens, the outrages committed by the Rangers and the Silver City men were being probed. He telegraphed to the Adjutant General for instructions and was told to act with the board under the first three items of its instructions only. He made a formal protest against the investigation of occurrences after December 17 and the admission of certain testimony. March 16, the board adopted its final report with the understanding that Jones should continue his investigations of the losses sustained and hand in a dissenting report to be incorporated with that of the majority. The report of the board is unsatisfactory. Many persons testified unwillingly and in guarded language, fearing that their standing in the community would be ruined if their evidence became known; some refused to testify at all. The printed reports, both of the National Government and of Texas, bear evidence of censorship.

There are indications of attempts to whitewash their own branch of service on the part of both the army officers and of Jones. The published testimony leaves in obscurity the motives and the acts of several individuals, prominent among them being the District Judge, Allen Blacker.[45]

[45] Hubbard to Hayes, Dec. 19, 1887, telegram, in Ibid., p. 148.
McCrary to Sherman, Dec. 31, 1877, in Ibid., p. 47.
Special Orders No. 2, Jan. 3, 1878, in Ibid., p. 5.
"Record of Proceedings, Majority Report" in Ibid., pp. 5-13.
"Minority Report" in Ibid., pp. 19-23.

By the time the board finished its investigation, the District Court was in session. It had been confidently expected that many members of the mob would be brought to trial and "taught a lesson in law and order which they will not soon forget." But most had fled to Mexico, where the authorities would not or could not surrender them. As far as is known no one was ever prosecuted for his part in the riot.[46]

[46] Jones to Tays, Jan. 8, 1878, in Ibid., pp. 116-117.
John B. Jones, "Account," in Report of the Adjutant General for 1878, pp. 16-17.
"Report of Col. Edward Hatch" in Report of the Secretary of War, p. 89.

The results of these three months of terrorism are difficult to estimate. There seems to have been some loose talk to the effect that the participation of Mexican citizens was an effort at the reannexation of territory rightfully belonging to Mexico. Many of the people of the towns in the lower valley abandoned their homes and fled into Mexico. Early in 1878 only a small part of the usual wheat crop had been sown and that was not cared for. One tangible result was the reestablishment of Fort Bliss. The establishment of a permanent post, preferably a four-company post, to protect the peaceably inclined inhabitants of the valley and to prevent the crossing of armed invaders from Mexico in case of another outbreak was urged by the members of the investigating commission, by Colonel Hatch, and a number of citizens, both American and Mexican. How long it took the racial antagonism to disappear is a question that cannot be answered; there are reasons for believing that it persisted for several years at least.[47]

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[47] El Independiente (Mesilla), Jan. 12, 1878, in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, p. 75.
Hague to Hatch, Jan. 10, 1878, in Ibid., p. 51.
"Majority Report" in Ibid., p. 18.
Petition of the citizens of San Elizario, in Ibid., pp. 109-110.
Hatch to Assistant Adjutant General, Jan. 11, 1878, in Report of the Secretary of War for 1878, p. 52.

One of the suggestions made to the War Department at the close of the Salt War was that the State Police in El Paso County should be replaced by United States troops; the recommendation was not followed, for the Rangers were retained. Sometime after the disorders of 1877, Lieutenant Tays resigned and Charles Ludwick was made first sergeant and put in temporary command. In the summer of 1878, Lieutenant George W. Baylor was sent by Governor O. M. Roberts with six Rangers to the county. When he reached Ysleta, he found that the remnant of Tays's former company consisted of only nine men. The company was reorganized and recruited to its limit of twenty men. The Rangers were stationed at Ysleta for a year or so, after which they were moved to quarters about three miles below El Paso, perhaps in response to a memorial of the Mayor and Board of Aldermen of the city of El Paso.[48]

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[48] Lewis to Adjutant General, March 2, 1878, in Ibid., p. 56.

J. B. Gillett, Six Years with the Texas Rangers, 1875 to 1881, pp. 194-312, passim.

Book B, City Clerk's Office, pp. 55-58.

Indian troubles were probably one, if not the chief, reason for the maintenance of the Rangers in El Paso County. The Mescalero Apaches, who had been settled on the

reservation at Bosque Redondo during the Civil War, became dissatisfied with conditions there, and began to leave in 1864. By 1867 all of that tribe had left the reservation to raid the settlements in western Texas and southern New Mexico. The Gila Apaches were also extending their depredations into Texas. By 1871, many of the Indians had been persuaded to go back to the reservation; but during the next three or four years, although they were nominally at peace with the whites, the raids continued. There is a list of the depredations which occurred in that part of Doña Ana County lying within the El Paso district for 1869; it shows the theft of more than fifteen hundred head of livestock, the killing of nine men, and the wounding of three, as well as attacks on wagon trains and mail carriers. With the exception of the theft of two hundred head of cattle from Frontera, these raids occurred generally in outlying parts of the district; many near Fort Selden, and several at San Augustine Pass. El Paso County seemed to be comparatively free from Indian attacks in that year. However, six years later, the danger there was sufficiently great to warrant the organization of a company of minute men, of which Telesfero Montes was the commander. There are evidences of depredations, especially below San Elizario, throughout

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the latter part of the seventies.

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49 C. C. Rister, The Southwestern Frontier, 1865-1881, p. 180, note.

Rio Grande Republican, (place of publication unknown), June 30, 1889, in Griggs, History of Mesilla Valley, pp. 97-99.

Lane, I Married a Soldier, p. 186.

D. G. Wooten, Comprehensive History of Texas, II, 359.

Gillett, Six Years with the Texas Rangers, pp. 212-224.

"Petition of the Citizens of San Elizario", Feb. 25, 1878, in El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, pp. 109-110.

One of the last great Indian uprisings of the Southwest was that led by Victorio, the chief of the Warm Springs Apaches, who with all his band left the reservation in 1879. For more than a year he depredated through western Texas, southern New Mexico and northern Mexico. His ability to elude or defeat the forces sent against him, much larger than his own, demonstrated generalship of the first order. As his raids did not extend west of Fort Quitman in Texas, the El Paso district did not suffer directly, although neighboring settlements in Mexico were plundered. However, men from the district participated in the expedition that resulted in his death and the destruction of his band. Lieutenant Baylor and his Rangers cooperated with the Mexican

forces that were sent against Victorio in 1879 and 1880. It is perhaps worth noting that Chico Barela, the leader of the rioters in December, 1877, took part in the expedition of 1879. It is also worth remembering that Pueblo Indians from Ysleta were employed by the United States army as scouts in their operations against the Indians. The last fight between the Rangers and the Apaches took place in the Big Bend country late in January, 1881. After the return of the Rangers and the Pueblo guides, the tribe at Ysleta celebrated the defeat of their enemies and their vengeance for the killing of one of their tribal leaders by a feast and scalp dance, said to be the last held by that tribe.[50]

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[50] Gillett, Six Years with the Texas Rangers, pp. 251-293, passim.

The close of the Civil War marked the end of a period in the history of the El Paso district; the coming of the railroads sixteen years later marked the beginning of another. To trace the economic development of the intervening years is difficult, for the materials on which to base a conclusion are very scant. The Texas Almanac contains a description of El Paso County in 1867 which ought to be

accurate; it comes in part from a citizen and a man of intelligence. According to his statement the entire population, some four or five thousand people, was concentrated in "Franklin," Concordia, Ysleta, Socorro and San Elizario and their environs; the only settlement below the last named place was Smith's Rancho, a trading establishment fifty miles below El Paso. Ysleta belonged to and for the most part was inhabited by the "semi-covilized tribe known as Pueblos". There was a "considerable commercial community of Americans" at El Paso and a few engaged in petty traffic or small farming in the valley. About ninety per cent of the population was Mexican.

Agriculture was the principal occupation and the chief products were corn, wheat, and beans. Apples, pears, peaches, plums, apricots, quinces, and figs were grown. Vegetables of all kinds, of good quality and size, were produced; the El Paso onion was quite celebrated. Prices were comparatively high; corn and wheat were usually $6 per fanega (two and a half bushels); potatoes, $2 for twenty-five pounds; beef, twelve and a half cents a pound; butter, $1 a pound; oxen, $25 a head; cows, $20; and sheep, $2.50 each. Good irrigable land sold at $3 an acre. Adobe bricks were the only building material used; lumber was so scarce and

high that floors were generally earthen. Fences were made of adobes or brush; mesquite roots or cottonwood furnished the fuel supply. The Guadalupe Salt Lakes furnished an inexhaustible supply of "the best salt known". The United States troops at Fort Bliss were supplied from this source and large quantities were sent to Chihuahua. Wine was another article of export. The principal markets were Chihuahua, Santa Fé, and San Antonio. The cost of transportation to San Antonio, seven hundred miles away, was ten cents a pound, specie; to Chihuahua, less than half the distance, the rate was three cents. Twenty-four miles from San Elizario, in the Hueco Mountains, was a silver mine, La Mina del Padre; the mines in the Organ Mountains were not being worked, probably on account of the Indians.[51]

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[51] "El Paso County" in Texas Almanac, 1867, pp. 102-104.

There is little to add to this account. Later descriptions comment on grape culture, more as to its great potential value than as an actuality; El Paso onions continued to attract attention. Agriculture remained wholly dependent on the Rio Grande for its water supply. In that respect, 1873 and 1879 were lean years; in the earlier year the county government passed an ordinance

providing that Ysleta, Socorro and San Elizario were to receive in turn all the water for four consecutive days, beginning August 11 and continuing "until such a time as there shall be sufficient water in the river for all the towns at once." April 1, 1880, the citizens of the county appealed to the county court for relief from high taxation on account of the failure of the crop and the great poverty of the people; the county government petitioned the governor for some means of immediate relief or instructions for the postponement of the tax collections. There is no record that relief was granted or that conditions improved to any great extent during the year.[52]

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[52] Texas Almanac, 1871, p. 106; 1872, p. 184.
Ms. Minute Book, p. 87.
Commissioners Minutes, I, 92.
Williams, In Old New Mexico, Ms. in the University of Texas Library, sixth installment, pp. 5-6.

Traces of coal, lead and silver had been found in El Paso County prior to 1872; but there is no evidence of any mining during the period under consideration except possibly at the Padre Silver Mine. There was considerable mining activity in Doña Ana County. In the late sixties silver was mined in the Organ Mountains; it is said that about fifty mines were being worked in that region in 1867 although smelting at Las Cruces was hampered by lack

of capital. The opening of the more profitable veins around Silver City seem to be the reason why the mines near Las Cruces became insignificant. Gold was discovered in the early eighties near San Augustine Pass, in Cooke's Range, and in the Jarilla Mountains, where copper and silver were found also.[53]

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[53] Texas Almanac, 1872, p. 134; 1873, pp. 111-114. Bancroft, History of Arizona and New Mexico, pp. 749-753 and notes.

The cattle business developed but slowly, hampered as it was by Indian depredations. There is evidence of the continuation of the drive to California; the furnishing of beef to army posts was profitable to some contractors. By 1880 cattle rustlers, who found a market for their stolen beef at the railroad camps, were operating all over the district and furnishing employment to the Rangers. In 1868, there were 4,553 head of livestock, valued at $49,005 in El Paso County. By 1884 the stock had increased to 15,110 head and the value to $197,299. It should be borne in mind, however, that the figures for the later date are for a time at least two years after the real development of the county began.[54]

54 Ms. Minute Book, p. 39.
Texas Almanac, 1868, p. 122.
City and County of El Paso, 1866, p. 67.
Mills, Forty Years at El Paso, pp. 30-31.
Siringo, A Lone Star Cowboy, pp. 148-149.
Gillett, Six Years with the Texas Rangers, pp. 187-318, passim.

Trade, especially with distant centers of pupulation, has always been an important factor in the economic life of the El Paso district. After 1848 much of this trade became in fact and in law foreign commerce. Until 1856, El Paso County was part of the Galveston Customs District; in that year the El Paso district was created with Caleb B. Sherman as collector. In 1857, Sherman was succeeded by Samuel L. Jones; during his term the region was again attached to the Galveston District and A. B. O'Bannon was stationed at El Paso as deputy collector. This situation held until 1862, when W. W. Mills was appointed collector of the customs district composed of the territories of Arizona and New Mexico. He was instrumental in securing the passage of an act attaching El Paso County to that district and removing the headquarters from Las Cruces to El Paso. Mills held the office until August 4, 1869, when he was succeeded by Dwight C. March. Subsequently, the following appointments were made; March 15, 1873, Col-

bert Coldwell; March 3, 1877, Sherman C. Slade; June 18, 1881, Abner Tibbitts,[55] who held the office until June 16, 1884.

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[55] El Paso Times, Midsummer Trade Edition, Aug. 1887.

Some idea of the amount of trade in the El Paso district can be gained from the reports of the Custom House. During the fiscal year ending June 30, 1872, the total value of the importations through the Custom House at El Paso was $393,242.69; a decade later the figure had risen to $468,718. In both years gold and silver comprised two thirds or more of the total imports, with cattle and foodstuffs ranking next. Prices continued high; all commodities except those produced in the district were brought, as formerly, from long distances by wagon train. The retail stores in the El Paso Valley got their stocks from wholesale firms in El Paso or in the Mesilla Valley. Three, whose names are known, are Solomon Schutz and Brother, established in El Paso in 1865; Louis Rosenbaum, at Las Cruces, and Reynolds and Griggs, at Mesilla. In 1879, in addition to the Schutz store, Ynocente Ochoa and Kettleson and Degetau were doing a general mercantile business at El Paso.[56]

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S. C. Slade, in Texas Almanac, 1873, p. 43
El Paso Times, Dec. 29, 1888; Nov. 11, 1888.
S. Schutz, in "El Paso Troubles", House Ex. Doc. No 93, 45 Cong. 2 Sess., Ser. No. 1809, p. 32.

The census returns bear out the impression gained from other sources that the period between 1865 and 1881 was one of little progress in El Paso County. In 1870 the population numbered 3,671 persons, 380 less than ten years earlier. The loss had not been made up by 1880, for at that date the county had only 3,845 inhabitants. The small increase of 1880 over 1870 may have had some connection with the Salt War or it may have been due to bad harvests resulting from lack of water in the Rio Grande. That it was the former condition is indicated by statistics from Doña Ana County, which appears to have grown steadily. In 1870 it had 5,864 inhabitants; this was a decrease of 375 since the preceeding census, but the figures lose significance in view of the fact that its boundaries had been considerably reduced in the interval. In 1880, the total number of people had grown to 7,612. By that date most of the inhabited portion of Doña Ana County was within the El Paso district, as the mining towns were included in the bounds of Grant County. There are no statistics available for the towns of New Mexico for 1880; but those for 1870 show that the bulk of the population was living in agri-

cultural villages. Doña Ana, Las Cruces, and Mesilla all had an increase in population, the greatest growth being at Las Cruces, which had grown from 394 to 1,304. There appears to have been no relative change in the situation until after the railroad was built through Las Cruces and passed by Mesilla.[57]

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[57] Compendium of the Tenth Census, pp. 43, 53. In 1868, the western part of Doña Ana County, a portion lying almost wholly outside the El Paso district, was erected into Grant County; the next year the north-eastern part was made into Lincoln County. Twitchell, Leading Facts of New Mexican History, III, 245, 294.

In 1880, Ysleta was the largest community in El Paso County with a population of 1,453 persons; San Elizario ranked next with 910, and the town of El Paso third, with 736. The number of English-speaking people can only be surmised. If the generally accepted statements concerning the proportions of Americans to Mexicans are correct, there were about four hundred English-speaking people in the county, most of them living in El Paso. Many of those who came to El Paso County after the Civil War were ex-Union soldiers. Some, like A. H. French and A. J. Fountain, were members of the California Column, mustered out of service in the region. Some, like James P. Hague and Allen Blacker, probably deserve the appellation of carpet-baggers; others, perhaps, came because of

the healthful climate or in the hope of recuperating in a new country from the misfortunes of the Civil War.[58]

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[58] Compendium of the Tenth Census, p. 301. Williams, In Old New Mexico, Ms. in the University of Texas Library, eighth installment. City and County of El Paso, 1886, pp. 15-16.

Until 1881 the stage line and the wagon train continued to be the chief means of communication between the settlements of the El Paso district and the outside world. Little is known concerning the extent to which the Civil War had affected the stage lines between El Paso and San Antonio; but there are grounds for belief that they were largely or entirely interrupted during the period of Federal occupation of the region. It is not possible to say exactly when the operation of the mail companies was renewed. A weekly four-horse stage was running between El Paso and San Antonio in 1866. March 15, 1867, the Overland Mail Company, recorded in El Paso the sale made five years before, to John T. Doyle, of San Francisco, of the Frontier Hotel in El Paso and nine stage stations between Fort Stockton and El Paso formerly occupied by the company. In 1868 the San Antonio and El Paso Mail Line was operating a stage that left San Antonio at eight

a. m. on Monday, Wednesday and Friday, and El Paso on Tuesday, Thursday and Sunday evenings. The line followed what was substantially the "old Joe Johnson's trail", which entered the El Paso district through the Quitman Canyon, and followed the Rio Grande to El Paso. There were stage stations at Fort Quitman, Rice's, Smith's Rancho, San Elizario, and El Paso. By 1873, the trip from the Concho Mail Station was being made only twice a week, leaving that point on Monday and Thursday. The average fare was about twelve and a half cents a mile; freight was carried for eight cents a mile; passengers were allowed sixty pounds of baggage without charge. The journey from San Antonio to El Paso required about seven days and nights of travel and was difficult as well as dangerous through the Indian country. In 1877 the firm of Solomon Schutz and Brother were the El Paso agents of the "Texas and California Stage Company"; Louis Cardis was a sub-contractor, carrying the United States mail between El Paso and Fort Davis.[59]

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[59] Deed Record C., pp. 390-393.
Texas Almanac, 1867, p. 277; 1869, p. 156.
El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, p. 60.

Mail service between the Mesilla Valley and California had been reestablished during the Civil War; in 1867, it was extended to connect with western Texas. This, also, was a tri-weekly mail. From El Paso, the stage road followed the Rio Grande north. In 1880 the stage left El Paso so early in the morning that breakfast was eaten "at a station where the horses were watered at a gravel pit in the river bed, sunken to catch the underflow". Thence to a station called Mesilla, probably the present Mesilla Park, forty miles above El Paso, where the river was crossed, thence west to Mason's Station, and on to Fort Cummings, near Cook's Springs, and the crossing of the Mimbres River. This was the old Overland or Butterfield Route of ante-bellum days. In the mid-seventies El Paso received mail from the north by a line from Las Vegas by way of Fort Stanton to Mesilla; a few years later the Four Horse Coach Line of C. M. Baines and Company operated a line between El Paso and Mesilla with stages three times a week.[60]

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[60] Hafen, Overland Mail, p. 323.
Williams, In Old New Mexico, Ms. in the University of Texas Library, seventh installment, passim.
Anon., Illustrated History of New Mexico, p. 588.
J. L. Rock and W. T. Smith, Southern and Western Texas Guide, p. 240.

In 1878 the stage and mail lines were supplemented by another and more rapid means of communication. In that year the United States Military Telegraph Line was completed from Albuquerque to Las Cruces and Mesilla and west to Silver City, Tucson, and San Diego. It is probably significant that when a number of citizens petitioned for the extension of the line to El Paso their request was granted on condition that $700 be contributed. The money was raised by popular subscription in El Paso and Paso del Norte. The line was built to El Paso before the close of the year. G. H. Hackett was the first operator and with one messanger boy represented the operating force until 1884.[61]

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[61] Bancroft, History of Arizona and New Mexico, p. 773. El Paso Times, Midsummer Trade Edition, Aug. 1887.

An interesting manifestation of frontier exuberance is found in the early attempts to establish a newspaper. The first newspaper published in the El Paso district of which there is any record was the Mesilla Miner, published in July, 1860. It seems that only one number was issued, as a "feeler" for the proposed Mesilla Times. That journal began its existence October 18, 1860; its first editor,

publisher, and printer was one Bredett C. Murray, a stranger to the Mesilla Valley and "not yet at an age to secure us a very extensive experience in journalism". It was intended to be a weekly paper; the first number, a small four-page issue, was devoted largely to the mining interests of Doña Ana County. It was published in the spring and summer of 1861, as a strong secession organ. Its editor then was a Mr. Kelly, who was shot to death by Colonel John R. Baylor in the streets of Mesilla, as the result of an editorial which accused Baylor of cowardice.[62]

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[62] Mesilla Times, Oct. 18, 1860.
H. M. Anderson, "With the Confederates in New Mexico-Memoirs of Hank Smith" in Panhandle Plains Historical Review, II, 91.

The next newspaper was the El Paso Montezuma Weekly Times, a manuscript issued by A. H. French probably at Concordia. The second number bore the date, Monday, December 14, 1868, and invited contributions "no matter how abusive to any individual." Its life is said to have been short. The first newspaper started in El Paso was the El Paso Sentinel, a weekly, published by Simeon Hart and D. C. March; the first number appeared December 25, 1872 and the second not until April 26, 1873. Thereafter

it appeared at regular intervals until December 6, 1873. After the death of Simeon Hart, it changed ownership several times and was finally sold to Lawerence La Point, who took the physical plant to Mesilla Valley. Thereafter the Sentinel was merged with the Mesilla Valley Independent. Little is known of the Independent. In 1871, a number of residents of the El Paso Valley subscribed $775 to pay for a newspaper plant to be established in El Paso by S. B. Newcomb. It is said that none of the subscribers ever paid in any money. Several references to a weekly Spanish paper, El Independiente, published at Mesilla, are found in 1877. It is possible that this is the La Point paper. In 1878 the Lone Star was established at Las Cruces; after it was apparent that the Santa Fé Railroad would build to El Paso, a number of prominent El Pasoans persuaded the publisher to move the place of publication; it was published in El Paso until January, 1866.[63]

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[63] El Paso Times, April 12, 1884; Jan. 1, 1886; Midsummer Trade Edition, Aug. 1887.
El Paso Troubles, House Ex. Doc. No. 93, 45 Cong., 2 Sess., Ser. No. 1809, p. 75.

In 1879 the International Times made its appearance; its name was symbolized by its heading, a facsimile of an American silver dollar and a Mexican peso held together by a link. This symbol seems to have been the reason for changing its name to The Link. In 1880 it was published and issued by Hal Wagner and Percy Carrico, who also did job printing, book binding, and other things of the sort, thus establishing El Paso's first manufacturing plant. The Link was a daily paper, the first, it is claimed, between San Antonio and California. In August 1881, the El Paso Daily Independent appeared; the following January it was merged with The Link by Juan S. Hart and H. D. Porter who had taken it over. April 2, 1881, the El Paso Times was established as a weekly paper. In a short time it was taken over by the El Paso Publishing Company, in which Juan S. Hart, the son of Simeon, was a leading spirit. After a time, in order to protect their weekly paper, the El Paso Publishing Company was compelled to buy a controlling interest in The Link, whose name was then changed to the El Paso Daily Times. Meanwhile, March 27, 1881, just one week before the El Paso Times made its appearance, the El Paso Herald was issued by B. F. Deal and James P. Baker, who had come to El Paso from Colorado and Missouri bringing their newspaper outfit

with them in a wagon. Before the year was out, they had sold the paper to R. M. McKie. Other newspapers have appeared in El Paso since, but these two, The Times and The Herald, have maintained a permanent existence and have played an important part in the development of the town.[64]

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[64] El Paso Times, Sept. 28, 1921; Midsummer Trade Edition, Aug. 1887.

The available contemporary records of the El Paso district for the decade of the seventies are unsatisfactory; they deal almost wholly with political or economic matters and it is impossible to catch more than a faint glimpse of the social conditions of the time. There is no reason to believe that the period was less turbulent or more decorous than the preceding or following years, or that conditions had changed in any essential. Although the Anglo-Americans were still greatly outnumbered by the Mexicans, they had become more and more the dominant element; this condition is indicated by the fact that, with one exception, the newspapers were English and by the introduction of the American public school system and a Protestant church in El Paso County.

The county records do not show when or where the

first public schools were established. Franklin is said to have had three Spanish schools in 1867; it is inconceivable that the statement should be true, although it is quite possible that there were schools in the larger towns of the lower valley. Sometime during the year or two that Gaylord J. Clarke was in El Paso, Mrs. Clarke taught the American children; but the school, if it can be so called, surely was not supported by any public funds. In 1870 the Sisters of Loretto established at Las Cruces a boarding and day school, which was attended not only by the children of the Mesilla Valley, but by many girls from El Paso and Mexico. Nine years later five nuns from this school started another at San Elizario, which flourished for about fifteen years. Whether there were any public schools in El Paso County before 1872 is unknown. The trouble in San Elizario in 1872 growing out of the compulsory education law has been mentioned. In 1877 Mrs. Mary Newman was teaching in a public school at San Elizario for $36 a month; the system of state supported schools appears to have been permanently established by that date. During the next school year, John B. Leahy taught at Socorro and Eduardo Elias at Ysleta. The schools were under the control of local trustees; the County Judge performed the duties of a superintendent. There were no city schools

in El Paso County until 1883, when El Paso took over the schools within its boundaries.[65]

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[65] Texas Almanac, 1867, p. 103.
Commissioners Minutes, I, 25,ff.
El Paso Times, Golden Jubilee Number, May, 1923.
The records in the office of the County Superintendent of Schools do not go back as early as 1881; the notices in the Commissioners' Minutes are brief and give little information.

The Catholic church was the real pinneer of the El Paso district. The mission at Paso del Norte was established before the first European settlement was made; the earliest American visitors found churches in the Mexican towns in the lower valley. No mission was built at El Paso, for the Catholics there were taken care of by the church of Nuestra Señora de Guadalupe across the river. The first Protestant church in the El Paso district, it is said in the entire Rio Grande Valley, was established through the efforts of Gaylord J. Clarke. He and Mrs. Clarke were deeply religious and devout Episcopalians. For a year or two after his arrival in El Paso, he held services in his own house for the members of his family and those friends who came. In 1870 he and A. J. Fountain interested Bishop Alexander Gregg, at Austin, in the opportunity for missionary work at El Paso and made arrangements for the support of a missionary. Joseph Wilkin Tays was appointed; he

arrived in El Paso, October 2, 1870 and conducted his first service a week later. The little mission had a congregation of seventy-five persons by the end of three years; then hard times came and by 1875 the original congregation had sadly dwindled. In December of that year "Parson" Tays left and El Paso had no church until 1881 when other denominations sent ministers to the growing town and Mr. Tays returned.[66]

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[66] MacCallum, History of St. Clement's Church, pp. 31-46, passim.

The purpose of this study was to discover the coming of the pioneer English-speaking settlers to a region long occupied by the people of another race. In so far as the motives of the early immigrants and the bare outlines of early history have revealed themselves that purpose has been accomplished. But this account would not be complete without some mention of the factor which not only made permanent the Anglo-American occupation of the El Paso district, but transformed an insignificant frontier trading settlement into a commercial city of the first class. This was the coming of the railroads. Here again is demonstrated the strategic position of the Pass of the North. El Paso was

not compelled to do as so many towns did in the early days of railroad building, buy a coveted position on a fateful route. Geography, not favors granted, secured for El Paso a position on three great transcontinental lines.

Since the mid years of the nineteenth century travellers to the El Paso district had pointed out its advantages as a route for a transcontinental railroad. The project was interrupted by the Civil War; when it was revived, causes that had nothing to do with this section led to the construction of the first railroad connecting the Mississippi Valley with Pacific coast by a more central route. In the early seventies the building of a southern transcontinental railroad was begun; work was interrupted by the panic of 1873. After that, progress was slow and it was not until 1881 that El Paso's long desired railroad connection with the outside world was realized.

The Texas and Pacific Railroad was authorized by an act of Congress in 1871 to build from Marshall, Texas to San Diego, California; at the same time it was given authority to connect with the Southern Pacific at the Colorado River. Its route was through the El Paso district. Construction reached Dallas in 1873 and was stopped for several years. In 1877 the Southern Pacific Railroad

Company began to build east from the Pacific coast. When the Colorado River was reached, Fort Worth was the western terminus of the Texas and Pacific. C. P. Huntington had secured for the western railroad the right to continue building. Therefore construction toward the east was resumed. The Southern Pacific Railroad entered El Paso, May 19, 1881.[67]

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[67] Southern Pacific Bulletin, quoted in El Paso Times, Jan. 10, 1929.

Meanwhile two other railroads were pushing toward El Paso, one from the north, the other from the east. The Santa Fé Railroad was building south through the valley of the Rio Grande and the Jornada del Muerto; at Rincon it branched, one line going southwest to Deming, the other following the river to El Paso to make connection with the Southern Pacific there. The Santa Fé reached its southern terminus June 11, 1881. In March 1880, the Texas and Pacific had again started to build its line to the west hoping to check the advance of the Southern Pacific into Texas. After reaching El Paso, the last named road continued its construction to the east under the corporate name of the Galveston, Harrisburg and San Antonio Railroad

Company. Both companies were straining every nerve to reach Sierra Blanco, northeast of Fort Quitman. There was only one logical route for a railroad through the El Paso Valley and it was believed that the company which first reached Sierra Blanca would have an undisputed right of way to El Paso. The Galveston, Harrisburg and San Antonio Railroad reached the coveted goal first, on November 25, 1881; the Texas and Pacific, December 16. During this interval, the two companies had made an agreement porviding for joint use of the track from Sierra Blanca to El Paso. January 1, 1882 the first regular passenger train for St. Louis left El Paso on the Texas and Pacific; the next day the first regular passenger train from the Mississippi Valley arrived. A year later the Southern Pacific had completed its line to San Antonio. In 1882 another railroad of importance to El Paso was built; this was the Mexican Central from Paso del Norte to Mexico City. To facilitate the railroad connections, a bridge was built across the Rio Grande. The iron horse had made its own the early immigrant and trade route.[68]

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[68] "Forty Years Ago" undated clipping from the El Paso Herald, in the possession of Mr. Richard Burgess. El Paso Times, Midsummer Trade Edition, Aug. 1887.

Information secured at the offices of the Santa Fé and Texas and Pacific Railroads in El Paso.

In 1896, El Paso got connection with the Rock Island System, when the El Paso Northeastern Railroad was built; a few years later the El Paso and Southwestern Railroad was built to Deming; both have since been acquired by the Southern Pacific. Their routes are shown on the map because they emphasize the strategic importance of El Paso.

The centering of three important railroad lines at the Pass of the North demonstrated once more its importance as the intersection of the natural lines of communication between north and south and east and west. The questions of dominant race and dominant community were solved. Spanish speaking people still outnumber the Anglo-Americans and perform an important role in the economic and cultural life of the El Paso district; but American ways, like the English tongue prevail. El Paso began to grow by leaps and bounds, but the story of that growth must wait until a later time.

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TABLE 1

Justice of the Peace, Precinct No. 1,	James Magoffin,	elected December 3, 1869	resigned, May 17, 1872
" " " " " " 2,	Benito Gonzales,	" " " "	" August 13, 1873
	Jose Maria Gonzales,	" September 5, 1872	
" " " " " " 3,	Rafael Telles,	" December 3, 1869	
" " " " " " 4,	Maximo Arando,	" December 3, 1869	" September 14, 1871
	Telesfero Montes,	" June 6, 1872	
" " " " " " 5,	C. H. Comley,	" Failed to qualify	
	George W. Wahl,	" December 1, 1870	" May 20, 1872
	James Moore,	" September 5, 1872	" July 15, 1873
County Treasurer	Charles E. Ellis	appointed October 20, 1870	
County Surveyor	C. H. Comley	" August 23, 1870	removed April 26, 1871
	Joseph Wilkin Tays	" April 26, 1871	
Registrar	Edmund Stine	" August 23, 1870	
Sheriff	Juan Armendaris	elected December 3, 1869	resigned April 25, 1871
	Charles W. Ellis	appointed May 26, 1871	
District Clerk	Edmund Stine	elected December 3, 1869[1]	

[1] Register of State and County Officers, Secretary of State's Office, No. 264, pp. 224-225.

TABLE 2

Elected December 2, 1873

Justice of the Peace,	Precinct No. 1,	E. N. Johnson
" "	" " 2,	Jose Maria Gonzales
" "	" " 3,	Rafael Telles
" "	" " 4,	G. N. Garcia
" "	" " 5,	John E. McBride
County Treasurer		W. B. Blanchard
County Surveyor		Albert H. French
Sheriff		Charles Kerber
District Clerk		George W. Wahl[2]

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[2] Ibid., No. 265, pp. 424-425.
It appears that all the above officers remained in office until their successors qualified, April 18, 1876.

TABLE 3

County Judge	Joseph Magoffin, Gregorio N. Garcia,	elected February 15, 1876 appointed August 13, 1877	resigned August 13, 1877
County and ex officio District Clerk	George W. Wahl,	elected February 15, 1876	
County Attorney	N. C. Caldwell	" " " "	resigned August 8, 1876
County Treasurer	Pedro Candelario,	" " " "	did not qualify
County Surveyor	Thomas Maese, George Zwitzers	" " " " appointed March 16, 1877	" " "
Sheriff and Tax Collector	Charles Kerber	elected February 15, 1876	
County Commissioner, Precinct No. 1	J. M. Alderete,	" " " "	
" " " " 2	Guadalupe Lucero	" " " "	
" " " " 3	Julian Arias	" " " "	
" " " " 4	Juan M. (Nep.?) Garcia	" " " "	
Justice of the Peace, Precinct No. 1	Jose Maria Gonzales Pedro Candelario	" " " " appointed May 7, 1877	resigned
" " " " " " 2	Guadalupe Carabajal W. B. Blanchard	elected February 15, 1876 appointed May 14, 1878	resigned
" " " " " " 3	Demetrio Urtiago	elected February 15, 1876	
" " " " " " 4	Guillermo Gandara Porfirio Garcia	" " " "	resigned
" " " " " " 5	John Evans	" " " "[3]	

[3]Register of State and County Officers, Secretary of State's Office, No. 265, pp. 424-427.

TABLE 4

County Judge	John B. Leahy	elected November 5, 1878	resigned December 23, 1879. He Had not been acting since August 22, his place was taken by Jose Maria Gonzales, appointed by the District Judge. On December 5, 1879, three county commissioners declared the office vacant and appointed Baptisto Mariany to fill it, Mariany was reappointed December 23, 1879. Both he and Gonzales acted until February 9, 1880, when they resigned at the request of the County Court; the District Judge appointed H. C. Cook to fill the vacancy.
County and ex officio District Clerk	George Zwitzer	elected November 5, 1878	resigned October 15, 1879, succeeded by G. W. Wahl, appointed October 15, 1879.
County Attorney	M. A. Jones	elected November 5, 1878	resigned October 13, 1879; William Coldwell was appointed to succeed; December 15, 1879 the office was declared vacant and G. F. Neil was appointed; he resigned February 11, 1880.
County Treasurer	Juan Armedaris Jose Baca	appointed February 10, 1879 appointed November 10, 1879	resigned March 11, 1880; succeeded by Baptisto Mariany.
County Surveyor	E. J. Orn	elected November 5, 1878	
Sheriff and Tax Collector	Benito Gonzales	elected November 5, 1878	resigned March 11, 1880; succeeded by Baptisto Mariany, appointed March 11, 1880.
Tax Assessor	Anastacio Guerra	elected November 5, 1879	

TABLE 4 (Continued)

County Commissioner, Precinct No. 1	Pablo Romero,	elected November 5, 1878	succeeded by E. J. Orn.
" " " " 2	B. S. Dowell	" " " "	
" " " " 3	Juan Armendaris	" " " "	Succeeded by Demetrio Urtiago, April 27, 1979.
" " " " 4	Gregorio Garcia	" " " "	Succeded by Telesfero Montes
Justice of the Peace, Precinct No. 1	Jose Maria Gonzales	" " " "	
" " " " " " 2	John Evans	" " " "	
" " " " " " 3	Jesus Guerra	" " " "	
" " " " " " 4	G. N. Garcia, Jr.	" " " "	

[4] Register of State and County Officers, No. 266, Secretary of State's Office, pp. 438-439. Commissioners Minutes, I, 1-109, passim.

TABLE 5

County Officers Elected November 2, 1880

County Judge	José Baca, resigned July 24, 1882; was reappointed and resigned again September 5, 1882; E. J. Orn was appointed.
Commissioner, Precinct No. 1	E. J. Orn; Martin Alderete appointed September 5, 1882.
Commissioner, Precinct No. 2	B. S. Dowell, did not act after March 15, 1881; C. T. Stanton appears after Nov. 19, 1881.
Commissioner, Precinct No. 3	Juan Armendaris.
Commissioner, Precinct No. 4	Telesforo Montes, resigned December 20, 1880; Juan Diaro appointed Mar. 16, 1881.
District and County Clerk	Manuel E. Flores
Sheriff and Tax Collector	Benito Gonzales
County Attorney	G. F. Neill
Surveyor	Baptisto Mariany, resigned June 21, 1882; A. M. Randolph, appointed.
Treasurer	Moritz Lowenstein
Tax Assessor	Anastacio Guerra

[5] Commissioners' Minutes, I, pp. 109-227, passim. Register of State and County Officers, No. 267, Secretary of State's Office, pp. 199-200.